DOCUMENT RESUME

ED 047 466 EC 031 776

AUTHOR Roper, Robert L., Ed.
TITLE The Deaf Man and the Law: Proceedings of National Focus Number III (Chicago, Illinois, February 27-28, 1970).
INSTITUTION Council of Organizations Serving the Deaf, Washington, D.C.
PUB DATE 70
NOTE 77p.

EDRS PRICE EDRS Price MF-$0.65 HC-$3.29
DESCRIPTORS *Deaf, *Conference Reports, Deaf, *Legal Problems, *Legislation

ABSTRACT

Proceedings of a national focus concerning legal rights of the deaf are featured. Four major topics for lectures and discussions are presented: legal rights to social services, insurance, civil law, and courtroom procedure. Questions of each topical area of discussion are also included in the proceedings. (CD)

THE DEAF MAN AND THE LAW

Council of Organizations Serving the Deaf

February 25-27, 1970/Chicago, Illinois

NATIONAL FORUM NUMBER III

ED0 47480

[illegible], INC. [illegible]
4201 Connecticut Avenue, N.W. - Suite 621
Washington, D.C. 20008

The Council of Organizations Serving the Deaf was organized and incorporated as a non-profit organization in January, 1967 under the laws of New York State.

Its purpose is to promote the best interests of deaf persons through cooperative efforts by the autonomous member organizations of and for the deaf. This purpose shall be accomplished by:

- Striving to eliminate social and economic barriers which handicap deaf persons
- Supporting measures directed to the prevention of deafness
- Coordinating and strengthening the services of its member organizations with due regard to their respective established functions but only in a manner consistent with objectives and purposes permitted an organization exempt under Section 501(c)(3) of the Internal Revenue Code of 1954, as amended
- Providing liaison between organizations of and for the deaf and other organizations having a substantive interest in the deaf and their problems
- Facilitating the sharing of information about deafness and the welfare of the deaf and providing information about deafness
- Enlisting the support of various organizations and of the general public in the development of economic, social, cultural and other opportunities for deaf persons
- Soliciting, receiving and dispensing funds for the accomplishment of these purposes.

The Council is largely supported at this time by a grant from
the Social and Rehabilitation Service
United States Department of Health, Education and Welfare

*(Limited views to the Development Fund are now being accepted as
501 no-vote toward eventual self-supporting status.)*

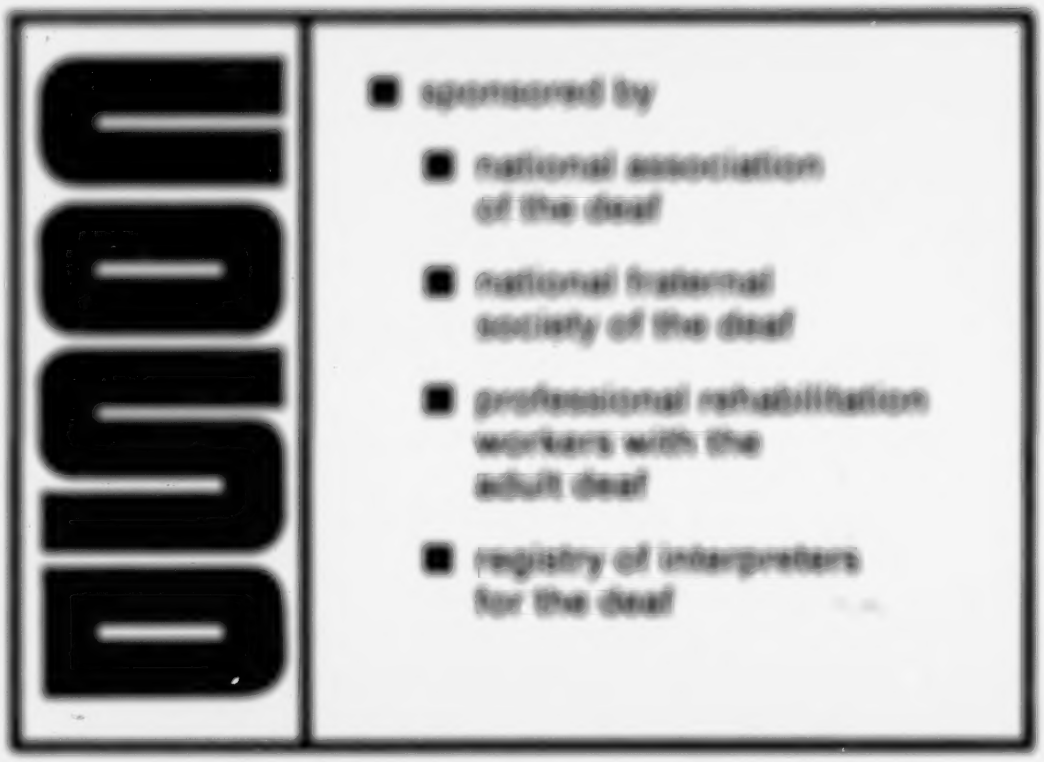
EDO 47480

EC031778

proceedings of

national forum III

LEGAL RIGHTS OF THE DEAF


NFIII
sponsored by
national association of the deaf
national fraternal society of the deaf
professional rehabilitation workers with the adult deaf
registry of interpreters for the deaf

council of organizations serving the deaf

FEBRUARY 25, 26, 27, 28, 1970
THE LASALLE HOTEL • CHICAGO

Honorary Editor
Judge Joseph J. Pernick, Detroit, Michigan

Editor
Robert L. Meyer, Chicago, Illinois

[redacted] Forum [redacted]

[redacted] for developing and conducting the 1979 Forum were with a committee appointed by the Chairman, consisting of:

[redacted], Forum Chairman
Director, Language for Deaf Children Through
Parent Education, Flint, Michigan

[redacted], Forum Chairman
National Fraternal Society of the Deaf
Chicago, Illinois

[redacted], President
Council of Organizations Serving the Deaf

[redacted], Assistant Director
Council of Organizations Serving the Deaf

[redacted], Assistant Superintendent
American School for the Deaf
West Hartford, Connecticut

[redacted], Administrative Assistant
to Senator Sam Ervin
Subcommittee on Constitutional Rights

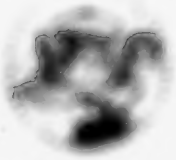
[redacted], Staff Assistant
National Advisory Committee on Education
of the Deaf, Washington, D.C.

[redacted], Field Director
National Association of Hearing and Speech
Agencies, Washington, D.C.
Past Vice President, Professional
Rehabilitation Workers With the Adult Deaf

[redacted]

[redacted]

[redacted]



THE WHITE HOUSE

WASHINGTON

February 28, 1970

There is much satisfaction in the knowledge that this third annual forum of the Council of Organizations Serving the Deaf is continuing the great work of reducing a handicap that plagues the lives of so many fellow citizens.

The leadership of the COSD annual forum inspires a sense of purpose and direction in our programs to reduce hearing loss and holds out a promise of greater self-fulfillment for the deaf and hard of hearing.

The Council members and all who are committed to furthering this important task have my special gratitude.

Richard Nixon

TABLE OF CONTENTS

[illegible]		[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible] OF ALL PEOPLE		
	[illegible]	[illegible]
[illegible] OF THE SEAT	[illegible]	[illegible]
[illegible]		
[illegible] OF THE SEAT [illegible]		
	[illegible]	[illegible]
[illegible] PROBLEMS OF SEAT PEOPLE		
	[illegible]	[illegible]
[illegible] [illegible] [illegible] THE SEAT		
	[illegible]	[illegible]
[illegible] LAW	[illegible]	[illegible]
REPORT OF [illegible] TRIAL		
	[illegible]	[illegible]
[illegible] TRIAL TRANSCRIPT		[illegible]
APPENDICES		
[illegible] A	[illegible]	[illegible]
[illegible] B	[illegible]	[illegible]
[illegible] C	[illegible]	[illegible]

MARY E. DEVISES

To a great humanitarian, a friend to all that would taste of the fruits of life, who envisioned in the words of Carl Sandburg, an America "not in the setting sun of a black night of despair," but "in the crimson light of a rising sun fresh from the burning, creative hand of God."

[redacted]
President
Council of Organizations
Serving the Deaf

PRESIDENT'S WELCOME

On behalf of the eighteen member groups of the Council of Organizations Serving the Deaf, I am privileged to bid you "welcome" to the Third Annual National Forum. Previous Forums have dealt with Reviews on Deafness and The Deaf Man and the World. Deliberations of the present Forum will center around Legal Rights of the Deaf.

The opinion has been expressed that these Forums are too highly structured and in consequence are not in line with the original stated purpose. It is true that an effort has been made to focus the subject matter of prepared papers and the subsequent discussions into prescribed channels. However, concensus has been that this is necessary to a certain extent owing to the fact that there is such a tremendous amount of ground to be covered in a limited time, and it is particularly desirable that controls be maintained until suitable precedents have been established.

An additional important factor is that a moderate amount of control results in a more sophisticated printed report of the Forum proceedings. Feedback from recipients of copies of these reports indicates that they are well received and are considered to be an important contribution to the literature in the field. The thinking of the planning committees has been that, while changing the format to an open forum might result in a more valid rap gripe, it is equally possible that it could degenerate into an airing, name-calling chaos - the disadvantages of which are obvious.

However, the board of the CORD, which is composed of two representatives from each active member group, is not rigid in its thinking. It is receptive, and hopefully responsive, to suggestions for improving the Forums. Our goal is to provide an opportunity for every group and individual to express an opinion. We expect some divergence of opinions. If all of us were of the same persuasion on all subjects there would be no need for the CORD itself, much less a Forum. But there is a vital need for the individual and collective growth that will evolve from rational discussion of the major problems of deafness and the deaf which are our common concern.

We are excited by the fact that the number of participants has increased steadily with each succeeding Forum. We interpret this as an indication that the concept is valid and that these annual gatherings meet a definite need. We hope to retain the initial momentum, and to plan sufficiently well for future Forums that you will feel adequately reimbursed for your investment of time and money. Please let us have the benefit of your personal comments and suggestions.

[illegible]
Project Director
Language for Deaf Children
Through Parent Education
Flint, Michigan

INTRODUCTION

It is a pleasure, as chairman, to open the Third Annual Forum of the Council of Organizations Serving the Deaf. The number of people who have registered for the Forum not only represents a greater number than has attended any previous Forum; it is also a reflection of prevalent interest and concern for the legal rights of hearing impaired persons.

Among you are judges, social workers, attorneys, government representatives, rehabilitation workers, educators, other interested citizens, and not a small percentage of deaf people who more than anyone else are eager to learn, explore, analyze, and perhaps reconstruct public law as it applies to them.

The Forum provides a common ground on which all of us can look into the past and present of an important issue and possibly as a result of our discussions determine our fate in years to come.

Planning of this Forum began a year ago in New Orleans. It was the goal of the planning committee to present four major subtopics which might categorize key legal privileges and problems of the deaf. You will find in your program four headings for lectures and discussions: legal rights to social services, insurance, civil law, courtroom procedure. On the surface you may consider these headings to be confusing. However, as we move along in our discussions you will find that by your very number and by the flexibility of the program we will be covering the whole area of human justice.

We hope that you will be moved during your time here to comment candidly on your experiences, your thoughts and convictions. Any impact this Forum may have in future years depends directly on you and on the spirit of your participation. To emphasize this point I would like to pass on to you a story, a fable, which incidentally carries with it more than a touch of moral.

Centuries ago in a far away land there lived a very wise, very great philosopher who travelled from village to village providing counsel and guidance to the people. The villages were many and small and set far apart and so his visits to each village were few and far between.

So trusted and respected was this great philosopher that when he came to a village people would gather in long lines to wait their turn to speak with him. He was very, very wise, and it was said that his judgements was always right, always proper, and never wrong.

In one of the villages there lived a small boy who became very fascinated with this great man, so fascinated in fact that he felt challenged

by his wisdom. One day the boy thought to himself, I would like to prove this great philosopher wrong. If I were to prove him wrong I would become the first to do so and I would be the hero of my village, and perhaps even great and famous.

I will capture a sparrow, the boy thought, hold it up to the great man and ask, what do I have here? And is it dead or alive. If the great man says it is alive, I will crush the bird and it will be dead. If he says it is dead, I will release the bird to fly away. Either way the wise philosopher will be wrong and I will become famous.

Well, the day arrived for the great philosopher's visit. The boy came early to the morning to the village square holding a sparrow, and began patiently to wait for his turn to speak. After a few hours the moment arrived.

The boy stood before the great man and said, "Sir, what do I have here?" "You have a sparrow", the man said. "Is it dead or alive?" the boy asked.

The old man reflected for a long moment and said wisely, "My son, the answer lies in your hands..."

[redacted]
Executive Director
[redacted]
Chicago, Illinois

CONSTITUTIONAL RIGHTS OF ALL PEOPLE

People who cannot hear or who have a hearing impairment are, happily, a minority of the population of our country, one of many minorities of all kinds. A few days ago I read about a man who is so wealthy that he is a billionaire, and the newspaper spoke of him as one who had "entered the rich ranks of those with 10-figure fortunes." Obviously that small company of people who are worth a thousand million dollars or more constitutes another minority, a tiny one, in our society! I suppose every one of us is identified with some majorities and some minorities. Some are a matter of choice, as in the way you choose to have your hair dressed, or the kind of music or reading matter you prefer. Others we have no control over, such as the color of our skin or the language that is our native tongue.

The first thing I learned about minority problems was in the lower grades in school when I encountered the fable of the ugly duckling. You will remember that the other baby ducks gave the ugly duckling a hard time but the ugly one had the last laugh when he grew up and became a graceful swan. At first glance it was easy for a child to jump to the conclusion that the ugly duckling was mistreated because he was really a finer and more beautiful creature and the others were jealous of him, but as I pondered that story I realized that the only reason for the other ducklings to show that one was that he was *different*, and was in the minority. If there had been one mallard among a dozen swans, I'm pretty sure the mallard would have been the one to be picked on by the swans.

The animal world is merciless on minorities, and especially those representing a disability. The albino crow is ostracized, the pack of wolves will turn upon and destroy one of their number that may become wounded. We should be so smug as to assume that merely by virtue of being human beings you and I are above that sort of thing. Pass through the wire fence of a school playground at recess time and the chances are that you will see children acting for all the world like wolves or ducklings toward any of their number who may be different, or handicapped.

Of course the very telling of the story of the ugly duckling when school crosses after more to a small part of the long slow process whereby men and women have been trying, for thousands of years, slowly to lift themselves above the animal level, to what we loosely speak of as civilization. It becomes a mark of maturity when a schoolboy learns to extend a welcome rather than a snub to the newcomer, and a helping hand to one who needs it, rather than a roll.

The distinction between majority and minority may be something subtle, like color, but the significant distinction between the two is that of power. In a democracy 51 represents a majority and 49 a minority, and in a fair election the will of the 51 must prevail and the 49 must accept it. This is not to say that there has not been in the past and is not today such a thing as minority rule. In Rhodesia and other African countries a white minority maintains effectual rule over a much larger black majority. In such a situation, concern for the constitutional rights of minorities alone would not make a lot of sense. Many people throughout the world are worried about the rights of the black majorities in those African countries, and this leads directly to my assigned topic for today: *Constitutional Rights of All People*.

Rhodesia is an exceptional situation. In most of the world and throughout most of human history, there is and has been strength in numbers. Jesus said:

"What king, going to make war against another king, sitteth not down first and consulteth whether he be able with ten thousand to meet him that cometh against him with twenty thousand?"

Whether by the sword or by the ballot, the majority usually rules. Over thousands of years, minorities who were not cut to pieces and destroyed were enslaved by their conquerors. Aida, heroine of the opera, was a princess, but because her people had been conquered, she had no constitutional or other rights – she was a slave.

It is interesting to observe that the great empires of world history have been great in proportion as they were generous to, and considerate of, the conquered people in their domains. The ancient Romans were cruel and ruthless but they granted Roman citizenship to the provinces, and in the time of Christ the Jews were able to maintain their customs undisturbed. Pilate, the Roman governor, was an unwilling and reluctant judge who wanted nothing so much as to let his subjects handle their own affairs in their own way and not involve him at all. That policy, imperfectly followed though it was, helped Rome to survive for a thousand years. Hitler, on the other hand, boasted that his Nazi regime would last a thousand years, but his rule was senseless, and the fate of the Third Reich was sealed not so much on the battlefields of Belgium as in the caves of Chelsea.

Our American republic will begin its third century of existence just six years from now. What are its chances of carrying on for eight hundred years more? We are not an empire, and we are not imperialist. Communist propaganda to the contrary notwithstanding, We gave the Philippines their freedom, and we are in the process of relinquishing Okinawa.

Historians of the future will tell the story of the survival or fall of America in terms not of our treatment of those who were conquered by our armies, but of the consideration shown by those who wield power in America under constitutional authority for the rights of the minorities who live among them and under their rule.

The same constitution that guarantees power to the majorities in our

system is careful to spell out its limitations on those powers and its protections for minorities. Read the first ten amendments to the federal constitution, which make up its Bill of Rights, and you may be surprised to see that it begins with the rights of religious minorities, as the first words of the first amendment, and moves along with one safeguard after another to the very end, on through the second, third, fourth, fifth, sixth, seventh and eighth amendments. You will not get past the eighth amendment, dealing with excessive bail and fines and cruel and unusual punishments, when the Bill of Rights lay down a single rule that is not primarily intended to defend an individual or a member of some minority group against the possible tyranny of the majority.

Let's just run quickly through the list.

Freedom of religion is at the top, the first of the constitutional rights grouped in the First Amendment. The other two are freedom of speech, freedom of the press and of assembly and the right to petition. Then come the right to bear arms, freedom from forced military occupation of a home, and freedom from unreasonable search and seizure, comprising the Second, Third and Fourth Amendments, respectively.

The famous Fifth contains the well known privilege against self incrimination, but it contains also the right to indictment by grand jury, freedom from double jeopardy, the right to due process of law and the right of eminent domain. The Sixth, dealing with criminal trials, guarantees trial by jury, the right to know the nature of the accusation, confrontation of witnesses, assistance of the court in obtaining defense witnesses, and the assistance of counsel. The Seventh guarantees jury trial in civil cases and the Eighth forbids excessive bail and fines and cruel and unusual punishments. The other two of the original ten amendments deal with distribution of power in the federal system. If you kept count with me, there are twenty constitutional rights guaranteed in the Bill of Rights -- five each in the First, the Fifth and the Sixth, and one each in the Second, Third, Fourth, Seventh and Eighth.

Our federal Bill of Rights is not the only Bill of Rights. Virginia had one of its own before the federal constitution was written, and it was that example that impelled Massachusetts and others of the colonies to make their ratification of the federal constitution contingent upon a federal bill of rights being added to it. Here is some truly inspiring language from the constitution of another modern nation corresponding with our own:

"The natural and inalienable rights are, in the first place: the rights of personal freedom; the right of a human life which is free from oppression, fear and want; the free expression of opinion; free exercise of religion; right of assembly and association; right to personal security, labor and dignified human livelihood; to free improvement of the mind; the right to take part in the administration of the life of the state and communities. No citizen should be deprived of these rights without a legal procedure."

Doesn't that sound great? And wouldn't you like to live in the country where that is part of the basic law? Well, possibly it could be arranged. The country is Hungary, and those constitutional rights were in full force and

Witnesses and their activities. In protecting Jehovah's Witnesses, however, the Supreme Court was making religious liberty and freedom of speech real for Catholics, Methodists and all of us. The rest of the rights detailed in the first three amendments, as well as the next five, have all been defined, interpreted and enforced by the courts.

If that were even preponderance of constitutional rights directly involving the judicial process itself tells us anything, however, it is that the biggest part of protecting all the rights of all the people is the protection of the integrity of the judicial establishment itself. Without this, not one of our constitutional rights is safe. This involves, as we have seen, some restrictions which are negative in nature, like the privilege against self-incrimination, and most of the Bill of Rights provisions having to do with the judicial process are negatives of one kind or another -- restrictions on how evidence may be procured and limits on the amount and kind of punishment that may be imposed.

It is not enough, however, not to do the wrong thing. There are some affirmatives making for true and effective administration of justice, and I am proud to say that the organization I represent, the American Judicature Society, has been leading the fight for them these past 57 years. They include:

Judges who excel in intelligence, integrity of character, general and legal education, and judicial aptitude, chosen by a non-political method on the basis of merit rather than political or other irrelevant considerations, with their judicial independence protected by security of tenure through long terms and assurance that so long as their service is satisfactory they will be retained in office, subject to fair and effective judicial disciplinary procedures so that they may be protected against unfounded complaints but may be removed from office in case of disability or misconduct, with compensation sufficient to attract well qualified lawyers to judicial service, and with retirement provisions which will permit and encourage them to retire when their useful days are over;

Court procedures designed to make a trial a search for truth and right instead of a contest of skills and to streamline and speed the progress of the case through the court;

Court organization that is simple and unified with clear and direct lines of administrative authority; and

Court administration that makes use of the finest of modern management techniques along with the latest business machines and methods in efficiently designed and equipped court house and courtroom facilities.

All this sounds fairly obvious, to have it stated, and yet all of our states and our federal system have miles to go before it can be said that these goals have been substantially attained.

One problem is that in spite of the fact that legal news tends to preponderate in the columns of every newspaper (take a colored pencil and circle the headlines that have a legal angle and you'll quickly see this for yourself), the members of the public are in general grossly ignorant

[illegible]

[illegible]

[illegible]

3. *The ultra conservative* – who doesn't want anything changed and thinks whatever is okay.

5. *The true liberal* – who wants change so whatever comes it will result in improvements.

6. *The true conservative* – who does not want any changes that are not going to be improvements.

7. Those last two naturally merge in the middle into *the reasonable man*, who wants to keep what's good about the old but replace the bad with the new and better. I like to think that's where I stand, and that you and most Americans are with me there.

The man in the middle is not standing motionless most of the time, however. He leans, now to the left and now to the right, as he finds the ride swinging too strongly in either direction.

To whom this apparent digression to my theme of constitutional rights of all people. I suggest that in this zeal to correct long standing social ills, some well meaning people have gone too far in trampling upon the ancient landmarks, while at the same time, to use zeal to preserve historic values enshrined in the constitution and to other basic foundation stones of early nineteenth century American life, others of us have perhaps lost the enthusiasm of shielding ourselves from the winds of change and cherishing the illusion that it would actually be possible for tomorrow to be just like yesterday.

In a recent article Judge Bazelon of the U.S. Court of Appeals for the District of Columbia used a figure of speech which somehow epitomizes what I would like to leave with you regarding the preservation of the constitutional rights of all of us. "That," said Judge Bazelon, "is like cutting off the leg to make it fit the pants."

It is not always easy to tell which is leg and which is pants. But if you cut the wrong one, blood will flow and then you will know. It will help a great deal if all of us will refresh our memories as to what our constitutional rights are and the story of the blood that was spilled to gain centuries to make them ours. If we will keep in mind that our constitutional rights are dependent upon a competent, independent and efficient judicial system; and if we will make it our responsibility to see that to the forefront of change around us these fundamentals are taught to our children from kindergarten to college. Then we may have some hope of passing along to future generations an America no worse than the one we inherited and maybe even a little better.

[redacted]
Director, Diploma Programs
National Technical Institute for the Deaf
Rochester Institute of Technology

LEGAL RIGHTS OF THE DEAF

The title of this paper would seem to indicate that the speaker is an authority on the legal rights of deaf persons and that an enumeration of those legal rights will be forthcoming. This is not the case. Far from it. I was asked to discuss the topic as a deaf layman or a "consumer" perceives it.

This topic could be approached from two directions. The first would take into consideration the fact that the legal rights of deaf persons are a function of communication, either as it pertains to the mechanical processes or as it relates to the congruence of relative cultures of the persons involved. Included in this treatment would be the following:

(1) Problems of procedure in court
(2) Use of third parties in court proceedings or other legal situations
(3) Complexity of legal principles which have quite severely the comprehension of deaf persons.

The other treatment concerns the general attitude of law toward deaf persons and legislative enactments to ameliorate the conditions of deaf persons. In this instance, it will be expedient to assume that the problems of communication have been handled when efforts are made by deaf persons to promote legislative action to improve their condition or status.

Cursory examination of the literature reveals a lack of concerted effort to attack movements not in the best interests of deaf population. Notable exceptions are the efforts of the national headquarters of the National Association of the Deaf and a few state associations of the deaf. I have drawn freely from three pieces of literature: a) Dr. Harry Best's *Deafness and the Deaf in the United States*, b) Lowell Myers' *The Law and the Deaf*, and c) the Proceedings of the National Symposium on Deaf Driving and Employability. The dates of these three publications are 1943, 1966, and 1962, respectively. It is therefore very timely that the Council of Organizations Serving the Deaf should have selected this topic as the theme for its 3rd Annual Forum.

It is necessary to discuss the ramifications of the law per se and how the "blind majesty" views law and justice.

It would be erroneous perhaps to assume that law is equated with justice. Generally, justice is obtained as a result of legal proceedings, but in the case of clients or defendants who are deaf, rigid interpretations of the laws can often be unjust. You have heard the expression, "ignorance of the law is no excuse." One example comes to mind immediately. Undereducated deaf persons frequently sign contracts which bind them to

months and months of conditional payments and eventually driven to them. When invited into court, they try to explain that they do not know why they are there. Frequently, such arguments are valid, but because of the interpretation of the law they do not hold. Unhindered hearing persons often are victimized similarly, but for those with hearing impairments the problem is even more pronounced. What can be done about this? The NAD is attempting to get certain pieces of legislation enacted that will protect the deaf persons' rights and even legal problems for deaf persons. Such activities may quite properly be labeled "political dynamics." Striving for legal rights then falls in the category of "political dynamics." Good political dynamics require the combined efforts of several individuals and organizations committed to one cause. Marshalling such efforts requires easy and quick modes of communication. Thus we return to our earlier premise: legal rights are more or less a function of communication.

I would like to discuss another possible result of legal involvement. The deaf population has for long prided itself on its fierce independence. The deaf have rejected unequivocally the concept of guaranteed existence or the state ruler of utopia. They do not wish to barter incentive for a dole nor to be kept humbled and dulled by having the state look after their own.

If one looks at the legislative enactments for mental health in recent years, one notes that one piece of legislation seems to beget another. Fortunately, a solid contingent of experts acted as lobbyists to ensure that such legislation is in the best interests of those afflicted with mental aberrations. There is not at this time a group with sound financial resources that is similarly completely committed to the "cause" of the deaf. Much of the recent activities of the deaf organizations can best be described as sporadic and of the ad hoc type. Further, they have been reactive rather than generative.

Problems of procedure in court

Now consider the problems of procedure in court. There are two common methods of communication that may be adopted in a court by deaf persons. The first is by writing and the second is by the language of signs perhaps through the use of an interpreter. Consider for a moment the plight of those unskilled deaf persons who are dependent on writing as a mode of communication. Myers (1964) has suggested that it is usually poorly educated and emotionally involved deaf persons who find themselves in the most difficult positions and that these are the ones who require professional help the most. Their language patterns are often quite bewildering to professional people and have, in some cases, led some of the deaf to be adjudged incapable of standing trial. Myers has listed a considerable number of instances where there have been possible miscarriages of justice. The more literate deaf persons, on the other hand, should be able to handle themselves if the court is amenable to writing as a mode of communication.

Persons with communicable language patterns often require the services of an interpreter. Some judges have been known to require verbatim interpretations or translations of all the proceedings of the court. This, of course, frustrates the low verbal deaf persons. The Registry of Interpreters for the Deaf, one of the federally supported projects of the National Association of the Deaf, has for many months pushed for a uniform interpreters law for all the states. Essentially, this law would provide for the appointment of a qualified interpreter for persons who are deaf, or because of hearing, speaking, or other impairment, cannot readily understand or communicate the English language (*RID Newsletter*, April 81). This law should be strengthened further to allow for adjustments in the techniques of interpreting, i.e., the interpreters should not be required always to interpret verbatim, but rather be permitted to use flexible translation of the spoken word in such a manner that the proceedings of the court are understood completely by the deaf person.

Myers offers a set of guidelines for deaf persons who rely on writing as their principal mode of communication. The requirement for the use of interpreters varies from state to state.

What about a deaf person as a member of the jury? It is doubtful that a deaf person has ever served as a member of the jury. I have known quite a few who have been asked to serve but when they showed up at court they were, without exception, dismissed. Myers indicated that some 30 states have statutes which require that jurors be in possession of their natural faculties. Even if a deaf person were eligible to serve as a member of the jury, it is most likely that he would be challenged by either party to the case. I am not sure of it is realistic or even desirable to insist that deaf persons have the right to serve on juries. This question can best be settled by the judges we count among our friends such as Sherman Finesilver, Joseph Pernick, Homer Thornberry, Kenneth Pacetti, and others. Attorneys such as Ivan Lawrence, Ralph Churchill, and Lowell Myers could also give us a great deal of insight into the problems and procedures relative to deaf participation in court activities.

Use of third parties

An important issue that should be discussed in this Forum is that of the use of a third party in court proceedings involving deaf persons. An interpreter or an intermediary who is familiar with deafness and deaf persons often must serve the proceedings as a third party. There are certain aspects of such a situation that need to be identified and for which guiding principles need to be developed. One is the matter of confidentiality. Perhaps this is an overworked term, but surprisingly, knowledgeable people continue to violate the principle of confidentiality, even unwittingly. In many training programs for rehabilitation counselors the importance of maintaining confidentiality in all cases is continually drummed into the students. This is also true in law schools. Thus, we have lawyers and counselors who are very sensitive to this important area. This

suggests that extensive training and education are required for respecting confidentiality in legal and other cases.

How should the inclusion of a third party in cases requiring high level confidentiality be handled? Do we just point out the importance of maintaining confidentiality and let it go at that with the expectation that the third party is intelligent enough to understand it? Or should there be a brief orientation period before each case to discuss this matter in such a manner that the third party becomes highly sensitive to the confidentiality issue? This issue is a very serious one.

Another question about the inclusion of an intermediary is: who has the authority or power to determine the competence and/or integrity of the person; the court or the deaf principal in the case? Best (1983) noted that the most acceptable interpreter may be an officer or instructor from the state school for the deaf. Also mentioned by Best is the possible use of a friend to "act in the capacity of an interpreter provided that there is no evidence of unfairness or prejudice (p. 312)." Apparently the services of such persons are rarely rejected, yet there have been cases in which the choice of intermediary is unpopular with the deaf person involved. The deaf person should participate in the selection of an interpreter or intermediary. This should be designated by law. The uniform interpreter law as promoted by the Registry of Interpreters for the Deaf should include this provision.

Complexity of legal principles

Before we approach the topic of legal rights of deaf persons from another direction, I should like to discuss the complexity of legal principles which makes it extremely difficult for the average deaf person to comprehend the enormity of the problem he may have. Myers stated that the legal problems of the deaf are often much more complicated than those of persons with normal hearing. He adds further that the laws that apply to the deaf are often different from those that apply to normal persons (p.4). Because of this complexity deaf people generally shy away from attorneys and seek aid from professional persons who are adept in communicating with deaf persons. Myers has done a good job of making legal vernacular comprehensible to the layman in his work, *The Law and the Deaf*. A copy of this book should be available to each interpreter, counselor and other professionals who work with deaf persons. This forum should play an important role in tearing through the web of complexity and ensuring that there will be no barriers to complete justice for all deaf persons.

It is difficult for a layman to properly gauge the general attitude of law toward deaf persons; but there are a few very important areas in which organizations of and for the deaf are ever vigilant to ensure that the rights of deaf persons will not be abridged. There is always the question of whether efforts toward prevention of congenital deafness will lead to regulation of marriage of deaf men and deaf women. Should Congress pur

or act as a bar to marriage? Should the deaf in consequence of their infirmity be constrained to practice strict endogamy, i.e., to wed their partners in marriage from their ranks, with the possible perpetuation of deafness in succeeding generations? Best, in 1942, was not able to turn up any instance where statutory action was taken in the United States regarding the marriages of the deaf, though the matter has received legislative attention (p.116). Fortunately, at this time the prime movers, if they are active at all, limit their action to moral force rather than to legislative action (Best, p.139). Still, this is another area in which the deaf cannot afford to relax their vigilance. It is, of course, realized that the new trend in genetic counseling will make any legislative action unlikely.

It is easy to dismiss the last issue raised as being a very remote threat to the peace of mind of deaf persons. Even in this day and age we have a few persons sitting on the judge's bench who would deem deaf persons unfit as parents. There is the celebrated Christensen case to remind us that that danger remains. As Inez Lawrence, the lawyer in that case indicated, it is not easy to convince many people that deaf persons do, indeed, raise children quite successfully. This is only one area in which capabilities of deaf persons have been questioned. The point I am trying to make here is that we need to promote legislation that ensures deaf persons their rightful place in society rather than to rise to arms against attempts to limit their scope of living.

Perhaps the area in which deaf persons have had the most anxiety has to do with their right to operate a vehicle. "Because of the deaf's own efforts, the deaf people are now barred in no state from driving cars. One should, however, be ever vigilant to ensure that legislative bodies in any one year do not initiate action to forbid deaf operators of vehicles (Best, p.144)." Resolutions by the Conference of Executives of American Schools for the Deaf and the Convention of American Instructors of the Deaf usually read as follows:

> "Long acquaintance with the deaf on the part of members of this conference convinces them that the keenness of vision and common alertness of the deaf more than compensates them for the loss of hearing in so far as it relates to their ability to operate automobiles (Best, 1964)."

Still another area of major concern is the difficulty experienced by the deaf in obtaining automobile insurance. A study was made by the Temporary New York State Commission to Study and Investigate the Problems of the Deaf (1968) to ascertain whether the present laws and current practices in the insurance field have the effect of discriminating against deaf persons. Apparently, in New York there are no statistics to indicate the rate or severity of accidents involving deaf drivers or the rate of convictions for moving violations on the part of deaf drivers. One of the recommendations of the above mentioned Commission was as follows:

> "Legislation (should) be enacted preventing discrimination against deaf persons by requiring insurance companies to provide statistical data to

support the rejection of certain types or the non-hanging of certain types of rules." (p.16)

Obviously this has not been a very comprehensive overview of the legal rights of deaf persons. The purpose of this presentation has been to point out the precarious position of deaf persons regarding their legal rights. The various organizations of and for the deaf must put their heads together and generate measures to ensure that the deaf will enjoy privileges and rights enjoyed by the general public.

Again, the very nature of this Forum would indicate that much still needs to be done to improve the lot of all deaf persons in this country. The CCSD has taken steps to raise questions. It remains for the participants to come up with solutions and apply them to our everyday life problems. The deaf population can never relax, but must continue to educate the general public about the capabilities of deaf persons. Unfortunately, it is often not enough to point out that a person has certain rights; it is necessary to work toward obtaining complete acceptance of deaf individuals. This type of public education will be an endless process. But once the legal rights of deaf persons are assured, the task will be much easier.

[redacted]
Dean, School of Education
University of Cincinnati

SOCIAL SERVICES AND THE DEAF CLIENT

My task is to raise some questions and suggest a few answers about social services and social agencies as they relate to *deaf* persons. What I have to say will be very limited -- though the problems touched upon are vast -- because there has been comparatively little research and discussion about these problems. Improvements in social welfare are bound to come about as we gather basic information not now extant and, with it as a foundation, enact program structures to correct old, unresolved problems and to accommodate recent changes in our society.

Let us begin by asking how important is our topic. About 40 cents of every dollar of government expenditure -- federal, state, and local -- goes into public programs for social welfare. Private expenditures amount to about 14.5 billion dollars annually, with about 700 million dollars raised by United Fund campaigns. Altogether, nearly 15 per cent of our gross national product is expended on social welfare projects. To what extent do *deaf* persons share this bounty? As a group, does the *deaf* community disproportionately contribute to the funds allocated for social services?

There are no direct answers to questions such as these. There are some suggestions, however, which you might wish to consider. Take the matter of taxes. Most of you will recall that a quarter century has passed since Senator Langer suggested that *deaf* persons be given the same added exemption then being proposed for those who are blind. We can roughly estimate the additional amount of taxes paid by *deaf* persons because they have been refused this concession. Assuming that 50 thousand *deaf* persons have been gainfully employed in any single year (an easy assumption to support), then they are giving up an annual tax exemption of about 20 million dollars. At an average rate of 15 per cent, this would amount to 4.5 million dollars. In total, it might have cost the *deaf* community in excess of 100 million dollars, calculated from the time the extra exemption was first allowed. Not a small contribution to the Federal treasury.

One small study (Schein and Kraemann, 1962) provides a clue as to how we might get more data about the degree to which *deaf* persons make use of available social services -- another measure of their importance. The study was done a few years ago in Metropolitan Washington, D. C. All of the known social service agencies were contacted by mail and personal interviews to determine if they had served a *deaf* client during the year of the study. *Deaf* persons were defined as those for whom the sense of hearing is nonfunctional for purposes of everyday communication,

without regard to the age at onset. Even with this broad definition, it was found that only 73 of 176 agencies rendering direct service to clients had served a deaf person in the year of the study. Of the 41 per cent, less than half had served more than one deaf person. It is apparent that deaf persons did not overburden the majority of social service agencies in our nation's capital.

If we ask about the kind of services which deaf persons requested, we can substantiate the answer that *everyone* knows again and again: deaf persons need almost every kind of service that any other groups in apt to require. In Washington, D. C., there was at least one instance of demand for every class of service: evaluation, therapy, recreation, welfare, family and child services, legal aid, et cetera.

When we questioned deaf persons, rather than social agencies, a clearer picture emerged (Schein, 1968). Of the deaf adults in Metropolitan Washington, nearly half had received some assistance from their state's division of vocational rehabilitation. Educational financing, as you would have expected for this sample, was the predominant form of assistance given (39 per cent). The vocational rehabilitation agency had placed about 11 per cent in jobs, purchased hearing aids for 3 per cent and arranged for other medical assistance for 1 per cent.

An additional 23 per cent of the Washington adults reported receiving some aid from other agencies -- financial, educational, medical, psychological. Job placement was most often the service (11 per cent), followed by educational financing (3 per cent), and other financial aid (3 per cent).

What about the quality of the services deaf persons received? Communication, of course, is most likely to be the key factor in any response. In the Washington study, we found only 12 of the 73 agencies which had served deaf persons had made any arrangements for special communication. You will not be too pleased by that figure when you realize that one consultant who could sign accounted for the positive responses from three different agencies. In two other instances, the special arrangements amounted to the willingness of the agency to call in an interpreter when needed. Only Gallaudet College and the DVRs had full-time professionals skilled in communicating with deaf persons.

It is noteworthy that less than 3 per cent of the deaf adults stated they had ever been refused services they had requested. Those who had received assistance were about evenly divided between satisfaction and dissatisfaction with what they received. Even among the persons who obtained funds to finance their education, there were some complaints expressed about the red tape involved and about the amount of money given. Despite the proportion expressing some discontent, respondents seemed relatively well satisfied with whatever assistance they did receive, since their complaints tended to be concerned with minor points not seriously reflecting upon the quality of the service.

It is doubtful that the situation with respect to social services is as favorable in any other city in the United States as it is in Washington, D.C.

with Gallaudet College and the headquarters of the National Association of the Deaf providing strong leadership. I do not intend here to survey the situation city by city, though the effort would certainly be worthwhile. What I am sure we would find is that the deaf community is being well served only where the local leaders are making special efforts: for example, Boston, Dallas, Kansas City, and Wichita. In each of these cities one person or a small group of persons has spearheaded a drive to provide services for deaf persons. But these local conditions do not generalize very readily to the national scene.

Can we take up the question of improving services without first determining how adequate they are? It would seem so. While we cannot specify the extent to which some of the problems facing deaf persons exist, we can offer some general suggestions.

If deaf persons are to enjoy the full measure of service, it would seem that they must rid themselves of the idea that social services deprive one of independence. Social services do not constitute charity. For some unknown proportion of deaf persons such notions must be set aside in favor of a point of view that sees social services as a right of the individual and an obligation of the community.

Like the rest of the population, the deaf community does have some members who may make unjustified demands upon agencies. Do we need special corrective action on this point? Or do we have the same proportion among deaf persons as we do in the rest of the community?

What about the attitude of the social service agencies? The principal complaint from deaf persons has been with regard to the lack of expertise among those who have been specifically assigned to work with them. The vast majority of social service agencies cannot be expected to make any special effort for deaf persons. If the figures from the Washington, D. C. study can be roughly applied to any other community, then it is apparent that the majority of social agencies are not likely to have even one deaf client in any one year. It is not reasonable to expect agencies to maintain a staff to work with people who are rarely seen.

Even if an agency does serve a sufficient number of deaf persons to warrant some degree of specialization, it is not apt to look upon the deaf person very favorably. Problems of deaf persons often take more time to resolve than those of other clients. Particularly in vocational rehabilitation agencies, this fact means that deaf persons are usually thought to be very poor clients.

Since providing services to deaf persons -- particularly job evaluation, training and placement -- takes more time, on the average, than providing the same services to a one-limb amputee, for instance, the agency ought to allow more "credit" for the successful closure of the former case. An intake panel could judge each case, say, on a two-point scale, from 1 (very simple) to 10 (very complex), and the credit for the closure could be multiplied by its scale value. Thus, a fairly simple 3-point case would be awarded half as much credit as a more complicated 4-point case. Some such system would overcome the resistance of many counselors to taking

on difficult assignments. Despite their own broken environments, counsellors realize that their professional careers are judged more often by successful closures than by the difficulties overcome in handling one more case. A system that recognized that all cases are not the same would better serve the clients.

How then may the delivery of services be improved? Obviously, deaf persons cannot expect to be served by all agencies, nor can all the social service agencies expect to serve deaf persons. Within any community or group of communities it should be obvious that only a very limited number of agencies, perhaps only one, should concentrate on providing for deaf clients. At least one agency should act as the coordinating and referral point to which deaf persons can turn. Such centers are already being developed in different parts of the country. As the experiences of these new centers accumulate, it should be possible to refine the model they represent as well as to demonstrate the effectiveness of the model.

Limiting the number of agencies would be very helpful. But it must be recognized that numbers alone cannot determine needs. Mental health facilities for deaf persons are in very short supply. While the actual number of deaf persons who may need psychological and psychiatric service may be very tiny, the urgency of the need when it does arise is such that efforts must be made to see that such services are made available. Perhaps the ultimate answer will come in the form of generous allowances for transportation when the deaf person's needs cannot be satisfied in his own community. The agency's financing must also be considered. If it is a state agency, then it is not likely to be in a position to accept out-of-state clients, without special consideration. Thus, in addition to local coordination of services, there must be regional and federal coordination, if services for deaf persons are to be more efficiently distributed.

No amount of willingness on the part of agencies to serve deaf persons can overcome the lack of trained specialists. Communication is a key factor in serving the deaf community. The establishment of the Registry of Interpreters for the Deaf may lead some agencies to mistakenly feel they can now provide for deaf clients with the aid of interpreters. But a good deal more skill is required than can be provided by an interpreter or taught in a sign-language class. Specialists must be recruited and trained. Just teaching a social worker how to sign will not qualify him to work with deaf persons. An understanding of the psychology and the sociology of deafness, along with a knowledge of community resources are required.

Finally, it can hardly be overemphasized that the leadership for improving social services for deaf persons must come from deaf persons. Through organizations like the CORD and the NAD, investigations of current conditions can be made and the appropriate corrective measures urged.

SOCIAL SERVICES DISCUSSION - SUMMARY

As citizens the deaf have a right to social services; they have need for social services; a wide variety of services are available to them. And yet the needs of the deaf are not being provided for adequately.

The reasons for this failure are many and complex. Underlying most of the difficulty, however, seems to be poor communication. The deaf are often unaware of available services, and the agencies, in turn, often do not know the needs of the deaf.

Need for Centers. The deaf need local and regional centers to act as clearing houses for information about agencies, public and private, and the social services they offer. In a few communities such centers are proving successful. A center might consist of one individual who keeps in contact with social service agencies and acts as liaison with the deaf community. Or it might consist of a community council made up of representatives of the deaf community, public schools, city administration, etc. The state of Michigan uses a roaming "circuit rider" approach. Through the joint efforts of the Michigan Association for the Deaf and the Michigan Association for Better Hearing and Speech, two full-time workers travel throughout the state offering services to the deaf.

There is need for referral centers in each state, especially in populous ones, so that the deaf community as a whole may have access to the vital information these centers can provide. Each center should be staffed by persons who understand the deaf, who communicate effectively with them and on their side to retain their confidence. The deaf are sometimes reluctant to look to agencies when they need help with legal problems, credit difficulties, marriage counseling, vocational counseling, etc. They may appear to be apathetic, whereas, in reality, they are merely discouraged because of past difficulties, ineffective service, the "run-around" phenomenon, communication barriers, or a failure to understand that social service is not "charity" but one of their rights as citizens.

Local clubs for the deaf could act as liaison between a center and the deaf population. Also CSSD could obtain information concerning the detailed operation of community centers and give broad publicity to the projects.

Deaf Must Lead. There is a great need for deaf leaders. Deaf people need not to trust established (hearing) agencies. Instead they must trust their own "agencies"; they look to their own leaders. Many vocational rehabilitation counselors cannot communicate with the deaf. Therefore, civil service requirements should be rewritten so that the deaf, themselves, can qualify as counselors.

If the deaf are to improve their situation, they must learn to use political power and establish a "power structure" similar to that which blind persons have. As individuals deaf persons cannot cope with their many problems. But deaf organizations, united in common purpose, in cooperation with other handicapped groups might produce more meaning

full results. Perhaps the CIDS or NAD could perform a leadership service in this area.

Deaf adult leaders should provide more guidance and inspiration for the young deaf. Concern was felt that the deaf adult community allows the deaf graduates to drift away after they have finished school.

Other Suggested Action

- Move aggressively in the direction of pre-adult training and counseling.
- Continue aggressive action by professional leadership in striking at discriminatory conditions against the deaf.
- Begin widespread campaign of "public relations" enlisting professional and deaf leadership in resolving both social service concern and occupation personnel management.
- Step up research on the jobs as well as the cognitive implications of deafness.
- Improve current school programs for the deaf in so far as they impart information on available service resources.
- Continue program of questioning, discussion and exchange of information through conferences, forums and seminars.
- Broaden program of counseling of parents by deaf adults as parents can understand the handicap only when they understand the problems faced by deaf adults.
- Begin using total communication in educational programs to develop potential of the deaf who cannot benefit from strictly oral programs.

[redacted]
Chairman
Dept. of Business Administration
Gallaudet College

[redacted] OF DEAF PEOPLE

[redacted] of the purpose of a keynote paper in a forum of this type is to provide fuel for the opening sallies to attack during subsequent discussion periods. For that purpose it should suffice to give you some of the facts about problems we have and to suggest a few ways by which these problems might be alleviated. The paper will cover only life, sickness and accident and automobile insurance. Property and casualty insurance have caused few difficulties for deaf persons, or at least there has been little outcry about them.

Life Insurance

Until the early years of the 20th century deaf persons were almost completely debarred from the benefits of life insurance. To meet this situation a group of deaf men established the National Fraternal Society of the Deaf in 1901. The figure below presents an idea of the Society's size, strength and recent growth:

	1957	1969
	Were There	
Total assets	$4,000,000	$1,0[illegible],000
Insurance in force	$7,000,000	$10,[illegible],000
Death and disability benefits (cumulative)	$2,000,000	$4,000,000
Members	10,000	11,[illegible]*
Dividends (policies)	0.20	0.30

Compared to the large insurance firms the NFSD's total resources may not be impressive. However, a comparison report prepared by the Standard Analytical Service, Inc., shows detailed superiority in all measures of financial strength: solvency, liquidity, surplus funds, mortality and assets, income and surplus per $1,000 of insurance in force.

By mid-century underwriting publications were reporting an increase in differentiated coverage (extra premium rates to handicapped persons and others deemed worse risks than average) and a great flexibility in evaluating standard risks. One insurance agency official reported in 1960:

> In the past it was customary to require an extra $2 to $3 per

*Certificates in force; there are many who have given up the insurance but remain in active social members.

$1,000 of insurance. The present tendency, however, is to deal much more honestly with applicants, even the deaf, and many life insurance companies offer insurance at regular rates, except for term insurance.

In what apparently is the first systematic study of attitudes of insurance companies toward deaf risks, Holcomb found in 1957 that all 50 of the companies he queried issued insurance to deaf persons but 32, or 64 per cent, of them charged extra premiums and/or provided restricted coverage. Degree of deafness was the main factor in charging extra premiums or restricting coverage. To gain an idea of progress, if any, in expanding coverage for deaf risks the same queries were sent in 1969 to 24 of the original group of companies. Eighteen replies were received. All 18 companies issued insurance to persons with hearing impairment. Ten of these 18, or 56 per cent, charged extra premiums and 14 (78 per cent) restricted coverage. A 1969 survey by the New York State Temporary Commission to Study Problems of the Deaf showed a considerably higher proportion of standard rates. Out of 23 replies, 19 (83 per cent) indicated that standard premiums were charged, with qualifications as to causes of deafness. However, 16 (70 per cent) restricted coverage. Progress has not been astounding.

It may be that there is some justification for the restrictions on coverage. These limitations take the form of denying double indemnity for accidental death and/or waiver of premiums in case of disability. Denial of double indemnity may be explained by the fear that deafness makes a person more exposed to accidents, which is a logical belief for which we have no contrary statistics. It does not explain, though, the fact that the National Fraternal Society of the Deaf enjoys a much more favorable ratio of actual to expected deaths than do the 25 largest insurance companies. The NFSD ratio is 30.12 per cent as compared to 54.99 per cent for the 25 companies.

Waiver of premiums for disability may present to life insurance firms the same sort of problem as did second injury in regard to workmen's compensation coverage. The problem was: If a partially disabled person suffers a second injury which is partially disabling (to another of his faculties, e.g., sight in addition to hearing or the use of a hand in addition to the use of a leg) then the courts may term the two partial disabilities a total disability. Such a total disability results in a much higher insurance settlement than would the partial disability alone. This threat to the workmen's compensation law was met by the creation of second injury funds (of varying breadth) from which subsidies could be paid to cover the difference in compensation for second injuries. The situation as to disability waiver of premiums must seem analogous to that faced by life insurance underwriters; it is a large risk for insurers to take for the small additional premium. We need to recognize that insurance companies are operated for a profit.

There is great variation concerning the effect of degree of hearing loss on rating evaluation, although about 39 per cent of the companies in the

New York statutes indicated no such qualifications for suits arising as coverage. Where there is a qualification concerning degree of loss, it is usually against the profoundly deaf and those who do not speak. The situation seems to be in a state of flux, possibly ripe for a bit of education through our organizations.

A considerable number of life insurance companies do recognize deaf people as standard risks except for those benefits from which the companies fear unusually high losses. A few companies do provide all benefits with little or no qualification.

Health and accident insurance

There seems also to be a trend toward greater acceptance of deaf risks in the field of health and accident insurance. Whereas in 1917 only 61 per cent of 28 companies issued such policies, in 1969 14, or 78 per cent of 18 replies from the same group of companies did so. However, 12 (86 per cent) of these 14 companies charged extra premiums as against only 24 per cent in the 1917 study.

The National Fraternal Society of the Deaf offers sickness and accident coverage as well as life insurance. This insurance, however is not comparable with the usual health and accident policy, for the NFSD covers time lost from work rather than hospital and surgical costs.

No investigation has been made of group health and accident insurance for deaf people. However, casual observation indicates very few difficulties with Blue Cross or Blue Shield or with employee coverage under other plans. At least there has been little hue and cry over discrimination. Of interest for the future is the group health and accident program proposed by Colonial Penn Life Insurance Company for members of the National Association of the Deaf. The proposal is currently being reviewed by the officers of that organization.

Automobile insurance

Automobile insurance has been the greatest problem area relative to insurance for deaf persons in recent years.

There are two types of literature on this subject, (1) that dealing with the attitudes and intentions of the insurance companies and (2) what might be called polemics. By polemics I mean those arguments and investigations meant to show that deaf people are good drivers and hence should be good insurance risks. The polemics I shall more or less ignore. We all know what excellent drivers we are; we have been telling ourselves this for years. I do want to call your attention, though, to the recently published Deaf Community Study in which a comprehensive sample of deaf drivers in the District of Columbia showed a far superior record as to accidents and violations than that of the general public as recorded by the police. This sort of study and publicity is needed and it should continue to be made available. For a group so sophisticated about the problems as this

Fixmer, however, expresses of the potential does not seem to be the most fruitful approach.

Instead let us examine the trend of attitudes among automobile insurance companies. Back in the twenties and thirties even the right to a driver's license was questioned in a number of states. This is no longer an issue, since all states allow deaf persons to drive, although some reasonable restrictions such as rear view mirrors may be required.

With the enactment of financial responsibility laws, however, the problem of judging the ability of deaf drivers moved from the licensing agencies to the insurance companies. The companies were not wholly without social responsibility, for by 1917 the Association of Casualty and Surety Companies set forth the following resolution:

> Company members . . . adopt the underwriting principle that, with due regard to the demands of public safety, automobile liability insurance will be made available to the physically handicapped individual on the same basis as such insurance is provided for the public generally.

Implementing this resolution for deaf applicants seems to have been effective at the higher levels of management even then. Of 23 companies replying to Holcomb's survey in 1937, 22 reported that they issued policies to deaf applicants without extra premiums. Only five of these companies had specific restrictions, chiefly the requirement that a rear view mirror be installed.

Not much improvement on the 1937 statements could be expected. More recent data—from the New York survey—showed that 25 of 26 companies stated that they applied normal premium rates for deaf drivers. Five of the total group did make degree of deafness a criterion in judging eligibility. A list of "insurance companies that do not discriminate against deaf drivers" provided by the National Association of the Deaf contains over 100 company names. A similar but much shorter list is printed in the annual statistical issue of the *American Annals of the Deaf*.

If so many firms report a policy of non-discrimination, why then do deaf people still report difficulties in securing liability coverage? Of course, there are those who blame their deafness when they should examine more closely their driving records. Myers explains the discrepancy between policy pronouncements and actual practice at the sales counter by a theory that in trickling down from the policy level to the firing line interpretation of the policy narrows or it is even misinterpreted. Some brokers, he also says, mislead the applicant in order to switch him into a substandard coverage which yields a higher premium to the company and a higher commission to the broker. He suggests a remedy which I shall discuss later.

Finally, there is a reply to a questionnaire about deaf risks that needs to be mentioned here for complete understanding of the situation:

> I am always very interested in corresponding with people who think that deaf drivers may possibly be average or better than average automobile drivers.

26

Unfortunately, that has not been our experience . . .

. . . we have done nothing but lose money on this account [deaf drivers, about 700] certainly for the last five years and possibly for the last 10. In spite of this, I stick to the stubborn opinion that deaf driver business can be written at regular rates with no more than an ordinary selection job done on the account. It should be noted that until about three years ago we did not underwrite the business and automatically accepted any deaf driver presented to us. We believe we have made some progress because of our underwriting techniques, but you must understand that with an account that averages approximately $330,000 of annual earned premium, one major loss in the area of $25,000 to $50,000 can throw the results completely out of equilibrium.

Because of certain problems with our data processing systems, we do not have an analysis of our 1968 results. It is our feeling that the physical damage will continue to be profitable and that very possibly we may have a liability loss ratio in the neighborhood of 65 per cent. On a combined basis, it is possible that for the first time in many, many years we may break even or possibly make a few dollars on this account.

Let us now move to the consideration of what can and should be done about insurance for deaf people.

First, the very modest research done for this paper indicates that while the deaf people do have problems about insurance, they are not overwhelming. In the days when the NAD was established no insurance was available; later workmen's compensation laws threatened our livelihood. Today our mobility is threatened by narrow interpretation of risk policy by some automobile insurers. The threat, however, is not absolute. If no insurance company will issue insurance to you, the assigned risk pool must provide liability coverage.

These optimistic statements do not mean that we can rest on our laurels, though. Existing inducers cannot fail; when we rest on our laurels, the fat goes to our heads. Our efforts should now take a different direction.

Although our publicity and educational efforts directed at insurers, traffic safety officials and the general public have been helpful and should be continued, shouldn't we be adding other avenues of attack on insurance problems? Shouldn't we help make the average deaf person a more sophisticated buyer and user of all types of insurance? There are several ways of providing the necessary knowledge.

The most obvious way is already in operation to some extent. The published lists of companies which extend coverage to deaf applicants is most helpful to applicants. Perhaps this activity should be refined and enlarged by publishing at intervals a roster of insurance firms and the rates, coverage and restrictions which they offer to deaf applicants. Of course, there may be legal problems in such an activity.

Such listings might also adopt the suggestion made by Myers that

applicant many copies of letters from top management of the insurance firms from which they intend to buy. The letter would be attached to the application so that there would be no misunderstanding at the sales level concerning what the home office intended.

Published lists, however, assume that the reader is knowledgeable about insurance and once he has selected a company all problems are solved. Finding a satisfactory company is only the start of understanding insurance. One must analyze his needs and select the proper types of policies to meet them. Some times I wonder how many of my friends deaf or hearing really understand that term insurance is the only pure insurance protection and that the cash value feature actually reduces our insurance coverage as the years pass. Also the numerous provisions and options need to be understood in comparing and using policies. And finally, there are specific conditions to be met in presenting a claim; neglecting one of these can jeopardize one's benefits.

The question arises: By whom should such information be provided? The quick response might be adult education. Would such instruction be available broadly and would it be readily received? Another avenue might be the adaptation of existing articles and instructional matter into pamphlets, captioned films and other visual media for circulation or sale to interested deaf people.

A third approach to education is being initiated by the National Fraternal Society of the Deaf in its current program of training agents, extending coverage to deaf women and children and removal of a former limit on the amount of coverage an individual can purchase. This plan could eventually develop scores of trained deaf insurance salesmen able to communicate freely with clients and imbued with a fraternal philosophy of social service. Perhaps in time it could result in full-time agents serving major cities and surrounding areas. There are negative aspects here, of course. Training would be limited to a single company and a single line of insurance. There may be a conflict of interest for the salesman between the deaf insurance package and the salesman's time and commission.

Also deaf people need counseling about other forms of insurance—for example, major medical, property and casualty and automobile. Perhaps the NFSD agents could add this sort of activity to their functions, serving as brokers for the other forms of insurance, if it is legal. Again we find conflict: broker versus salesman for a single company, extensive knowledge of one field versus diverse but superficial knowledge in another.

Community social service centers probably offer counseling on insurance but such centers are few and their personnel are generally trained more specifically for other areas. They could possibly arrange for skilled advice through other community service agencies, with the aid of interpreters.

There is sporadic, informal counseling going on in clubs and other organizations of deaf people. Perhaps the organizations could formalize these activities by designating an individual as one skilled in insurance and directing members to him or her for advice. It is done now on a friendship

basis. If it were formalized questions would arise of competence, compensation and legal liability for quality of the advice.

There have been several suggestions made as to how to meet the automobile insurance problem. Some have wondered why deaf people cannot organize their own automobile insurance company as they once did for NFSD. Problems would arise here from lack of capital, know-how and a network of adjusters to serve a thinly spread population. These problems loom as insurmountable. Yet people probably cited insurmountable problems to the founders of the NFSD.

Others have suggested concentrating deaf risks in one company in order to have exception ratios and a large enough body of insureds to provide significant statistical proof that deaf drivers are good risks. Pertinent to this topic is the experience of the Insurance Guidance Service of Pennsylvania, Inc. This service instituted a program of publicity and salesmanship centering upon the thought that if enough deaf risks would buy through them then the desiderata above mentioned would result. In the District of Columbia area a good deal of interest was aroused, but when it came to buying, very few were ready to abandon their currently held policies to take insurance through the Service at somewhat higher fees (due, the Service people said, to the experimental nature of the program).

For many years a large insurance firm has taken deaf risks in considerable numbers, thanks to contacts first established and widely advertised by the NFSD. Yet their underwriting remains relatively small in total. Perhaps concerted efforts to have deaf drivers seek coverage there (or in any single company) in large numbers would build an annual earned premium large enough to make the program actuarially sound. Then the statistics of actual experience would test our claim to being good risks.

Finally, we must continue efforts to instill caution and good driving habits through publicity and encouragement of driver education in schools for the deaf.

1. Continue and refine publicity efforts.
2. Educate the consumers through:
   a. Adult education services
   b. Printed and visual media, including published letters about company policy
   c. National Fraternal Society of the Deaf salespeople
   d. Community service centers
   e. Counselors at clubs and elsewhere
3. Establishment of an automobile insurance company for deaf clients only
4. Concentration of deaf risks with one major company
5. Education of drivers through publicity and the schools.

[illegible]

Discrimination—Although insurance problems are not as big as once for the deaf today as they were in the past, there are still some difficulties. For instance, there is still conflicting information relative to the insurability of the deaf; some companies will accept only a limited number of deaf persons; one large company has only recently refused to write insurance on the physically handicapped including the deaf. And even companies having approved policies providing for deaf coverage, sometimes fail to see that the word filters down to the agents who write policies. Apparently the most likely discrimination that exists now is that of placing the deaf in an "assigned risk" category at a higher cost. In spite of these problems, there was agreement that the majority of companies do not follow discriminatory policies.

It was suggested that organizations such as CSSD and NAD could bring pressure against insurance companies that practice discrimination. Furthermore, the deaf could be provided with a list of companies that deal with the deaf. This list might include rates, restrictions, etc. Armed with proper information, the deaf could help "educate" those agents who are uninformed on home office policies governing the deaf coverage.

State organizations for the deaf can provide information on the policies of various insurance companies. These organizations might also set up a "watchdog" committee to see that the deaf do not suffer discrimination. Each state should try to get a statutory commission for the deaf following the leadership of the New York Temporary Commission Investigating Problems of the Deaf.

The idea that the deaf might organize their own auto insurance company was quickly rejected as it would require too much working capital and it would only serve to perpetuate the stereotype of the "deaf."

A special problem relating to auto insurance and the deaf is the growing number of multiply-handicapped deaf students. Many of these are low achievers, sometimes emotionally disturbed or mentally retarded. When they in some cases succeed in getting driver's licenses, what kind of driving records will they have? Will the now generally good reputation deaf drivers enjoy be tarnished? The dilemma is how to safeguard the constitutional rights of these multiply-handicapped, and at the same time ensure that competent deaf drivers do not suffer restrictions.

Insurance Education—Deaf people are not well informed about insurance, especially automobile insurance. Sometimes the deaf pay for more coverage than they need. They think they have been overcharged when comparing their rates with hearing friends who have less coverage. If the deaf would understand that they can buy varying amounts of liability insurance, they would be able to make more valid comparisons.

Insurance information should be included in driver education courses. The fact that driver ed instructors are frequently competent in manual communication is a plus here. Perhaps Captioned Films could include material on insurance topics. A deaf information clearing house might

provide help on all types of insurance problems. Some states provide insurance information. Wisconsin sends an information sheet to parents of deaf children that explains insurance problems.

Consumer education programs for the deaf should include subjects such as insurance and legal rights. Not only do the deaf need to be educated on insurance matters, but they in turn should educate the insurance industry and the public. Deaf organizations such as CSDD and NAD should invite insurance companies to participate in their meetings so they will have better understanding of the deaf. Perhaps the insurance industry might be persuaded to prepare a short film explaining insurance to the deaf and other handicapped. Local deaf groups might provide information to insurance agents in their area.

It was recommended that the book *The Law and the Deaf* be made available to schools, as there is a section in the book on insurance. Better yet might be a publication specifically about insurance.

Driver Education--There was general agreement concerning the importance of driver education courses for deaf students. Driver education should be available at both day and residential schools. There is a need for training manuals written specifically for the reading comprehension level of the deaf. Captioned Films for the Deaf in cooperation with the National Safety Council has prepared 9,400 feet of driver ed films which are available to schools for the deaf.

There was high praise for "Impairment" developed by a driver education instructor at Hinsdale (Illinois) South High School.

The deaf with little formal education need help to pass written exams for driver licenses. In Chicago a policeman is assigned to work with the deaf in driver testing and other areas. It is possible in Ohio to have a driver test given in sign language.

If the image of the deaf driver is to be upgraded, it is important that adult deaf drivers continue to improve their driving skills. Captioned Films, in cooperation with the National Safety Council, has "defensive driving" films available for the adult deaf.

Driving Records--The deaf must realize the crucial importance of maintaining good driving records in order to obtain insurance. Insurance companies are profit-oriented organizations that make decisions based on statistical experience. A Washington, D.C., study comparing deaf driving records with those of the general public is the type of report that has an impact on insurers.

Not only must the deaf strive for driving excellence, but they must also make every effort to see that these records are widely publicized. The public should be educated to appreciate the problems of deafness, yet made to realize that these special circumstances do not prevent the deaf from becoming safe drivers.

There is need for more research on deaf drivers. In some instances driving records may appear to be poorer than they actually are due to the reluctance of deaf drivers to appear in court to contest a ticket for a moving violation. Deaf drivers must understand that while paying a fine

may cause the accused may out of a traffic ticket, it is an allegations of guilt. Moreover, the ticket may have been issued by an officer who was unable to communicate, and the court may decide for the deaf driver.

[redacted]
Attorney at Law
Chicago, Illinois

RECENT LEGISLATION AFFECTING THE DEAF

Perhaps it is to the credit of the deaf citizens of our state and country that so little special legislation has been needed to aid them toward becoming effective and productive members of our society. However, conversely, it may be a discredit to our state and nation that more laws have not been passed, both with regard to aiding the deaf in adapting to today's computerized, fast-paced society and with regard to improving the general public's understanding of the particular problems of its deaf citizens.

Legislation that has been adopted by both federal and state legislatures appears to fall within several well-defined areas, e.g. education, child welfare, social welfare, vocational training, tax benefits and courtroom procedure.

Beginning with the federal sphere of activities, recent clarification of *Internal Revenue Code*, Sec. 213, with regard to medical expense deductions, bears mention. Income tax deduction is limited to that portion of a taxpayer's expenses which exceed 3 per cent of adjusted gross income. For example, tuition expense and the cost of employing a note taker for a deaf student at a regular college qualify for the medical expense deduction; however, the deaf student's room and board is not deductible. *B. A. Barr Est.* 26 TCM 179 (1967). Costs incurred in attending training schools (lip reading, sign language and speech) are deductible. *Rev. Rule 68-212* (1968). Costs incurred at special training schools or hospitals, including meals, lodging, travel to and from and tuition (including cost of ordinary education) also qualify. *Reg.* 1.213-1 (e)(1)(ii)(a). Perhaps more important is the fact that meals and lodgings also qualify for a deduction if the resources of the institution for alleviating such handicap are the principal reasons for a deaf person being there. Meals and lodging expenses are not generally deductible for children or adults attending schools away from home. *Reg.* 1.213-1 (e)(1)(ii)(c).

In the future, one may hope to see an additional personal exemption (now over $625.00 for each exemption) for the deaf as there is for other special groups, as well as a medical expense deduction for the cost of special equipment in automobiles.

The *National Technical Institute for the Deaf Act*, cited as 20 USCA 681 et. seq. (1967), was passed to provide a residential facility for post-secondary technical training and education in order to prepare the deaf for successful employment.

Such national institute will be established in participating colleges and

[illegible] throughout the country. The federal government will provide the funds for construction, initial equipment and land acquisitions.

The Act further provides that preference in establishing the institution will be given to metropolitan industrial areas. Obviously, there are more deaf people concentrated in urban areas. Further, there are more colleges, universities and vocational schools as well as opportunities for on-the-job training. Certainly the best jobs are available in the cities.

The year 1968 also saw the passage of a bill requiring early and pre-school education of handicapped children. 20 U.S.C.A. 621 (1968). Such a program is designed to give deaf children, among others, the same advantages in educational, emotional, social and language development as other children receive from such projects as "Head Start".

The *Loan Service of Captioned Films and Educational Media For The Deaf Act*, sponsored by the Department of Health, Education, and Welfare was amended in 1968 to substitute the words "handicapped persons" for "deaf persons". Captioned films, originally for the cultural and educational enrichment of the deaf, have proven so successful that persons with other handicaps will surely benefit by this amendment. 47 U.S.C.A. 2601 (1962).

Now I will attempt to survey some recent legislation enacted in a geographically varied sampling of several states beginning with Illinois.

Recognizing the need for vocational and educational training and rehabilitation, a recent Illinois law, effective in 1969, established a Board of Vocational and Educational Rehabilitation to cooperate with the federal government in administering the federal vocational law. 122 Ill. Rev. Stat. 697. The above Act includes a provision for aid to deaf students enrolled in regular university, college, professional or vocational schools, as well as the establishment of special training centers for the deaf. Currently, aid is limited to $400.00 per person per year (up to $1,000.00 in certain cases). The maximum amount of aid should be greatly increased.

Three other important pieces of Illinois legislation bear mentioning. 91 Ill. Rev. Stat. 127 (1963) gives the education commission the authority to construct, in various school districts, hospitals, clinics, and laboratories needed to train, educate or rehabilitate persons who have already lost or partially lost their hearing. 122 Ill. Rev. Stat. 10-22.17 (1969) gives the school board the power to establish classes for instruction of deaf children between the ages of 3 and 21 years with a special proviso that all teachers must have had specialized training.

Perhaps the most important recent legislative victory appears in 95½ Ill. Rev. Stat. 6A-101 (1967). This Act allows deaf persons, otherwise qualified, to obtain driver's licenses. The discriminatory phrasing of the previous statutory language made it possible for the Secretary of State to prevent deaf persons from obtaining licenses for the vague general reason of general physical, mental or other disability. This amendment clearly states in law what has been the policy of Illinois for many years. Other states have followed Illinois in its efforts to closely enunciate practice and policy.

71 *Ill. Rev. Stat.* 69.6 (1965) provides that sure paid and qualified interpreters must be present in any state courtroom to interpret the proceedings to and testimony of deaf party litigants or witnesses who appear in court.

Turning to other states, we see that Colorado provides for services to educate the deaf, including supplemental teaching services, special classroom programs, and individual instruction in hospitals and homes where necessary. Also included is transportation to and from special programs. *Colorado Rev. Stat.* 123.22.1 et. seq. (1965).

The State of New York in *Consolidated Laws of New York Ann.* 4201 et. seq. (1965) provides for a New York school for the deaf covering children ages 3 thru 21 and provides for room, board, tuition and clothing where necessary, same as in Illinois and many other states.

California has a provision for paying expenses of a California high school graduate who is on scholarship at Gallaudet College. California also offers courses to hearing parents of deaf children to assist in early care and training. *West's Ann. Cal. Codes* 25643 (1965).

North Carolina has one of the most enlightened legislative programs for the deaf. In addition to establishing a North Carolina School for the Deaf, *N.C. Code* 115-338 (1965), it has a special provision that all deaf children between the ages of 6 and 18 years must attend the state school for the deaf. Parents or guardians of deaf children who fail to comply with the above law are deemed guilty of a misdemeanor. *N.C. Code* 115-171 and 115-172 (1965).

Further, as early as 1931, that State created a *Bureau of Labor for the Deaf*, *N.C. Code* 95-71. More important, the chief of this bureau must be a deaf person himself. It is his job to ascertain which trades or occupations are most suitable and then to place deaf workers in such occupations. It is also his job to study vocational training techniques and to compile statistics on the success or failure of various state programs.

This survey of legislation affirms that while much has been done to help our deaf citizens, enlightened states like North Carolina illustrate how glaring are the deficiencies of the laws of other states.

Other reforms that we would probably like to see are more state schools for the deaf, increased financial aid to the deaf college student above the present statutory maximums, state Bureaus of Labor and compulsory education laws.

ROBIN H. SHEPHERD
Attorney at Law
Detroit, Michigan

CIVIL LAW

General problems facing most deaf clients

A. *Communication problem – Two illustrations can serve as examples.*

1. I had a client who came to me after having signed an agreement with a "health studio". He had gone to the studio as a guest and was asked to place his signature on what he thought to be an agreement to come back for a few more times. It was in fact a lifetime contract obligating him to pay about $500. I asked him to underline every word which he did not understand. He took a blue pencil and drew a line under more than half of the words. This problem is frequent with deaf clients and they should be admonished never to sign an agreement unless it has been thoroughly explained to them by someone whom they can trust.

2. I had a court case in which I used a competent interpreter. The deaf client along with the interpreter and myself reviewed all of the facts before the trial and everyone felt that the client knew how to answer the questions. During the course of the trial the client was asked a question where the answer should have been "no" and instead he answered "yes". This resulted in his losing the case and I learned to my great disappointment that in spite of all of the work which I did with the client, he still did not understand completely what was expected of him. The moral of this story is that one cannot be careful enough in working with a deaf client prior to going to court. He must be drilled, drilled and re-drilled to make sure that he understands what is expected of him. This of course would not necessarily apply to a well-educated deaf client.

B. *The role of the lawyer is frequently not understood by deaf clients.*

1. In our system of law we have an "adversary system". This means that each lawyer represents the interests of his own client and no one else. Frequently, deaf people rely on the advice of the attorney for the person with whom they are doing business. This attorney represents his client and not anyone else. Whenever the person doing business with a deaf client has an attorney, it is imperative that the deaf person secure the services of a lawyer.

2. A lawyer attempts to solve problems and can make no guarantees. Some deaf clients believe that simply placing a matter in the hands of a lawyer will automatically result in a favorable solution.

3. We live in a free market and free enterprise society. The education which many deaf people have results in their believing that everyone will attempt to be fair with them. The law does not require business people to

be "nice". I had one client who was about to have his furniture repossessed for non-payment say to me "they can't take my furniture because I was laid off of work and I just can't pay now." The client honestly believed that the law protected him from repossession just because he could not pay.

4. A lawyer acts on behalf of a client only when he is instructed to do so. Many deaf people have come to my office and have explained their problem to me but have not given me instructions to act on their behalf. After I asked if they wanted me to take certain action, they simply said that they would go home and think about it. Several months later they contacted me asking me what I had done and were quite surprised to learn that I had done nothing.

Let me now discuss certain specific areas of the law and indicate some of the problems which deaf clients seem to have. The purpose of these remarks is to help you in showing the deaf people with whom you work what some of the problems will be in their normal and most frequent business transactions.

Contracts

In order for there to be a contract, there must be an offer and an acceptance. For example, if I say "I want to sell you my pen for 10p" and you say to me "I will buy your pen for 10p," that is an offer and an acceptance and there is a contract. However, if I do not express my clear intention to sell and you do not express your clear intention to buy, there is no offer and acceptance and there is no contract. Frequently deaf clients come to me in the belief that they have a contract when in fact they do not and vice versa. The clients ought to be cautioned to be very certain about the nature of the business transactions into which they enter and not to become involved without adequate legal advice.

There must be a "meeting of the minds" in every contractual situation. This means that both parties must come away from their negotiations with the same understanding of what the agreement actually is. If there is no meeting of the minds, there is no contract. Frequently, unscrupulous people will attempt to take advantage of the deaf and the deaf clients may in some circumstances be able to avoid the consequences of a bad bargain by showing that they did not completely understand what was involved. However, this is very difficult since most courts hold that deaf people are equal to hearing people and should have known what they were doing. This rule of equality frequently works against the deaf and puts them in a position of having to live up to contracts which they should never have made in the first place if they had had competent advice.

Consumer credit and bankruptcy

I use these terms in the same breath because they frequently go hand in hand. We live in a society where credit is easy to obtain and far too many

deaf people over-extend themselves by making commitments to pay for merchandise which they cannot afford. They base their payment schedule on their current income, but when bad economic times come along, they are not able to make the payments and frequently must face the prospect of going into bankruptcy.

Bankruptcy is a method whereby the federal court gives a man a new chance. He must list all his debts and after the appropriate court proceedings, the court issues an order saying that he no longer needs to pay his debts. However, because of obtaining easy credit the person who goes into bankruptcy loses more than he gains because although he does not have to pay the debt, the merchant can repossess the merchandise which he purchased.

The moral of all of this is to counsel deaf clients not to over-extend themselves. Many hearing people have this same problem but because many deaf people have not been trained to budget their incomes, they frequently get into this problem of being over-extended financially.

Real estate transactions

The purchase of a home involves the making of a contract and as stated above no one should sign a contract, not even a "preliminary agreement," without understanding completely what the terms are. Since a real estate purchase involves so much money and since a real estate broker represents the seller and not the buyer, it is important that a deaf client purchasing a home have competent advice before he signs the purchase agreement. The next step will be to obtain a mortgage and here all of the warnings I gave regarding consumer credit apply. The main rule is "do not obligate yourself for more than you can afford."

Wills and estates

I am frequently asked by deaf people "Do I need a will?" The answer depends upon the particular family situation and the particular financial situation of each person. Therefore, no general answers can be given. However, anyone with young children ought to have a will just to provide for the care of the children after death of both parents. If there are unusual family situations, such as a husband and wife each married for the second time and each having children by a former marriage, there is no question that a will is needed.

The general rule is that every family situation is different and therefore competent advice should be sought in determining whether a will is needed.

Divorce

Deaf people generally do not get divorced and the divorce laws differ from state to state and therefore it is difficult to generalize. However, in

most states there can be no divorce unless one party is at fault and the other party is without guilt. Many deaf people do not understand that they cannot get a divorce simply on the grounds they they do not get along with their spouse.

Many clients do not understand that in disputes over custody of children, the law generally requires the court to give the children to the mother unless she can be shown to be absolutely unfit. A woman might be a very bad wife but a good mother and the courts do not punish a woman for being a bad wife by taking her children away from her. Some states however, only look to the question of "what is best for the children?" and do not require that a woman be absolutely unfit before the children will be taken away from her. Most states however follow the former rule.

Many deaf men do not understand that the support payments which the court orders for the children have nothing to do with whether or not the wife has been a good and faithful spouse. These are payments to feed the children. Many husbands do not realize that these payments must be made even if the wife is at fault.

Injuries and accidents

In order for a judgment to be entered in favor of an injured party, he must show that the person who caused the injury was at fault. The mere fact that there has been an injury does not automatically entitle one to receive damages. I have found that many deaf clients do not understand this and are extremely disappointed when they learn this to be the rule.

Once it has been determined that there is fault on the part of the person causing the injury, the plaintiff is entitled to get medical expenses, loss of wages and any other out-of-pocket expenses. He is also entitled to an amount, frequently substantial, for pain and suffering. Many deaf clients do not understand that an insurance adjuster works for the insurance company and is not particularly interested in paying a large amount. The adjuster is usually a pleasant man who tries to give the impression that he is being fair. He is not necessarily being unfair as long as it is recognized that he is representing a company which is trying to save money. It is recommended that an injured party seek competent legal advice before settling a personal injury claim.

Criminal law

Deaf people are generally law abiding citizens. I have had very few cases involving deaf people who have been accused of committing crimes. I have never had a case of a deaf girl getting involved with the police and generally the typical case is that of a deaf boy who did not completely understand his obligations or who became frustrated and took violent action to assert what he believed to be his rights. Usually the prosecuting attorney will be sympathetic and if it can be shown that the boy is capable of rehabilitation, the prosecutor will frequently dismiss a case if the

attorney and the family rally behind the boy and show the prosecutor that he will be given treatment, counseling and such other care as may be necessary. A deaf client should not plead guilty to a criminal offense without first exhausting all of the possibilities for obtaining a dismissal of the case.

Conclusion

The law presumes, in general, that everyone understands his rights and that everyone is equal before the law. This means that deaf people frequently suffer a severe disadvantage. We who work with the deaf must ask whether we want complete equality in the eyes of the law or whether we wish special legislation protecting the deaf and other handicapped persons with respect to their responsibilities and rights in private business transactions. If we want equality and if we recognize the serious communications problem which deaf people have, is it not our obligation to make sure that we place special emphasis on training the deaf in their legal rights and in how to get along in the economic world? The theme of this convention is "The legal rights of the deaf." Legal rights mean nothing unless they are understood and if we acknowledge that deaf people are capable of learning to understand their rights, it seems to me that the schools for the deaf must place greater emphasis and direct their energy towards education and understanding.

Equality versus Special Privilege—Should the *deaf adult* be *able to* escape the consequences of a contractual arrangement on the grounds that a binding "agreement of minds" did not prevail because the *deaf person* was unaware of the meaning of the agreement? Would deafness of one party invalidate a contract if deaf were given special rights? Would such an eventuality destroy the claim by the *deaf* that they are entitled to legal equality?

The consensus is that special legislation is detrimental to the *deaf*. Special legislation makes the *deaf person* a "second class" citizen. In Japan the *deaf* were given special rights that provided that they would not be punished for crimes; however, at the same time, they were not allowed to drive. It is undesirable to exchange one "right" for another.

The principle of equality before the law is desirable but along with it should be a program of improved counseling and education at both the pre-adult and adult levels. A possible safeguard for the *deaf* would be the provision of advisory legal orientation by a third party when a *deaf* person is party to a contract. Another suggestion was that a contract should become effective only after a certain time has elapsed.

If there is to be special legislation, it should be broadly written to include all "disadvantaged" persons—not only the *deaf*. Such legislation would aim at "simple language" contracts, geared to the reading level of the disadvantaged person. Many hearing persons would benefit also from simplified legal language.

There was special concern for the low achieving *deaf*, and it was felt that perhaps there should be some protective legislation pertaining to this group.

Total Communication—*Deaf* adults must press for legislation to ensure that all modes of communication are made available to children being educated in classes for the *deaf*. The *deaf* have a right to total communication.

Some states have legislation against manual communication. An Ohio law states that all *deaf children* will be educated in the oral method. In Massachusetts, the law says that a teacher of the *deaf* must teach speech—a qualification that eliminates *deaf* teachers. In Michigan a few *deaf* teachers are employed in oral day school programs; speech is taught by hearing teachers. In New York a *deaf* teacher with 25 years experience was denied employment in an adult education program because state law requires that a teacher of the *deaf* have speech. There is a question as to whether the constitutional rights of a *deaf* teacher are violated where state statutes prohibit *deaf* persons from teaching the *deaf*.

What recourse do parents have when school policies or state law sets the mode of communication? Several approaches were suggested: (1) bring a test case to court; and/or (2) bring public pressure to amend or repeal the law.

Many *deaf children* do not benefit from oral instruction. Not only do

they miss much of their education because time spent on oral instruction is unproductive, but they also are greatly frustrated by their inability to communicate. In effect, schools by denying them the right to communicate are denying them the right to learn. If total communication were employed in teaching, there would be fewer emotionally disturbed deaf citizens. Moreover, if the controversy over methods could be resolved, parents would no longer suffer the emotional upset of being caught in the middle.

Some Answers: Education and Counseling—All groups agreed that instead of special legislation the deaf need better education and counseling. Education for the young as well as at the adult level must be improved if the deaf are to become aware of their rights and of the laws they are expected to observe. Equality can best be achieved by improved education. Too many of the deaf live in a sheltered environment and are ill-prepared to cope with the legal problems of modern society. Captioned Films can broaden their experience by depicting civil law cases, civil problems of deaf persons and like topics. Such films could be used in schools for the deaf, in adult education and in clubs for the deaf.

Improved consumer education and counseling would help reduce the legal difficulties that often confront the deaf. Installment purchasing is a particular problem area. Functionally illiterate deaf persons become the prey of irresponsible merchants who take advantage of their handicap. A Better Business Bureau for the Deaf might be organized. Deaf students commented favorably on their courses in consumer education.

A proposal was made to try to determine in which areas deaf people encounter most difficulty—areas such as contracts, consumer credit, wills, etc. Education and counseling could then be directed where the need is most apparent. For example, it might be possible to prepare a pamphlet explaining basic legal considerations involved in home buying.

If state chapters of the Registry of Interpreters for the Deaf were listed in the yellow pages of telephone directories, then attorneys, real estate agents, bank and savings and loan officers could contact certified interpreters when needed.

Legal Aid Society personnel should be informed of the difficulties experienced by profoundly deaf persons in legal matters. Perhaps CORD could confer with national officers of the Legal Aid Society to explore possible ways in which this group might assist the deaf.

Finally, it was observed that the Elementary and Secondary Education Act provided for federal funds for programs of public information. Could funds be obtained for "spot" announcements on television to acquaint the general public with the deaf and their problems? Perhaps a national newspaper, federally funded, could be distributed weekly to deaf persons free of charge as a method of education and dissemination of information.

REPORT OF MOCK TRIAL

(A Summary by Joan E. Lawrence)

Rather than a lecture on courtroom procedure, it was determined that a better educational tool would be a mock trial with an actual experienced judge, experienced attorneys, a jury composed of both hearing and deaf persons held in a modern courtroom.

Accordingly, the following persons voluntarily participated to make the trial a learning experience:

Judge C.A. Riddell, Worcester, Mass.
- 23 years on the bench
- District Court, 8th Judicial District of State of Minnesota
- University of Minnesota Law School graduate
- Daughter Margaret, deaf, attended Gallaudet, deceased.

Attorney Thomas W. Henderson, Pittsburgh, Pa.
- Private attorney in general practice
- Stevens University and Duquesne University graduate
- President of Pittsburgh Hearing and Speech Society
- Representing deaf clients since 1966; became interested through wife's teaching at Western Pennsylvania School for the Deaf.

Attorney Lowell Myers, Chicago, Ill.
- B.S., M.B.A., J.D., University of Chicago
- 15 years of practice, specializing in cases involving the deaf
- Author of the book, *Law and the Deaf*.

Attorney Joan E. Lawrence, Sherman Oaks, Calif.
- B.A., George Pepperdine College; LL.B. and J.D., U.C.L.A. School of Law
- Law firm of Lawrence, Meyers and Howe, Sherman Oaks, Calif.
- 13 years of practice, trial attorney specializing in cases involving the deaf.

Plaintiff in the case, Carol Downey, Silver Spring, Maryland; defendant, John Shipman, principal, Virginia School for the Deaf, Staunton, Virginia, who acted as an allegedly drunken driver; Bailiff and Clerk of the Court, Joan E. Lawrence, attorney, member of Legal Rights Section of CORD, who organized and conducted the mock trial.

Learning objectives were:

1. To acquaint spectators with the complexity of courtroom procedure and legal terminology;
2. To acquaint observers with roles of judge, jury, lawyers, and witnesses;
3. To emphasize the overriding importance of qualified interpreters for the deaf with actual courtroom experience;
4. To demonstrate the problem of qualifying an interpreter for the deaf in law courtroom proceedings;
5. To demonstrate how a jury is selected and to consider whether deaf persons can or should sit on a jury in a case involving a deaf litigant;

6. To consider whether one sworn and qualified interpreter is sufficient, or whether each deaf litigant is entitled to a separate interpreter;
7. To obtain experience with signs for specific legal terms.

Factitious Facts

1. On June 5, 1969, intersection of First and Main Streets, Chicago, Illinois, an auto accident occurred.

2. Mr. Noisy (defendant) driving a 1969 Cadillac north on First Street at 10:30 p.m. with Miss Flapper, a gracious blonde passenger in the right front seat, a half-empty whiskey bottle on the seat, windows of his car shut tight, radio on loudly. The accident occurred near the center of the intersection in a residential section without traffic controls. Mr. Noisy, arrested for driving under the influence of liquor, refused to take any scientific tests for alcoholism. This case is a civil suit for damages to plaintiff, Miss Silent.

Miss Silent (plaintiff) traveling west on Main Street in a 1968 Volkswagen, returning from night classes at University of Illinois. Miss Silent, who is profoundly deaf but has some speech, was alone. The Cadillac driven by Mr. Noisy struck Volkswagen broadside, turning it over three times. Miss Silent's car left 50 feet of skid marks up to the point of impact. Due to her deafness and speech disability, police erroneously jailed her on charge of suspicion of driving while under the influence of dangerous drugs. Pursuant to writ of habeas corpus she was successfully acquitted at a prior trial.

3. Counsel for Miss Silent is Thomas W. Henderson; Counsel for Mr. Noisy is Lowell Myers; the Judge is C.A. Rolloff. Damages to Miss Silent are $6,000 in medical bills, $1,000 for damage to her automobile.

Use of Courtroom Interpreters

Mrs. Agnes Frost, Detroit, Michigan, was designated chief interpreter by Mr. Lawrence. Under her competent supervision the following interpreters skillfully assisted:

Kenneth Bissel, Syracuse, Illinois
Marjorie Cleo, Syracuse, New York
Father Rudolph Gawlik, Washington, D.C.
Virginia Lewis, Youngstown, Ohio
Mary Malcome, Chicago, Illinois
Jane Pence, Oklahoma City, Oklahoma
Rev. Daniel Pokorny, Washington, D.C.
Lucille Taylor, Delavan, Wisconsin

It became apparent that confusion arises from using two or more interpreters simultaneously. It is extremely important that the sworn interpreter be placed where a clear view can be had from all parts of the courtroom, particularly in a case such as this one where plaintiff and defense attorney are deaf persons.

as

The Judge properly admonished the jury to direct attention solely to the official interpreter who had been sworn to interpret faithfully, and to ignore unsworn interpreters who were there simply for the convenience of courtroom spectators.

It is strongly suggested that lawyers determine in advance of the trial whether the interpreter they propose to use is experienced enough to interpret legal terminology accurately. Otherwise there might be loss of valuable court time, or worse, possible dismissal of the interpreter.

Assuming the interpreter can remain completely objective and becomes in no way emotionally involved with the participants, it is strongly urged that the interpreter become acquainted prior to actual trial with as many facts, background, knowledge of parties and attorneys as possible. This makes for more skillful interpreting.

Another suggestion is to have an experienced interpreter observe the sworn interpreter. Should the sworn interpreter be inaccurate or otherwise ineffective, the situation can be brought to the attention of the trial judge. In such a case the supervisor needs greater competence than the sworn interpreter. A challenge, if any, would cause embarrassment, time loss, and possible serious inaccuracy of the court transcript. In an extremely important case, such as a capital punishment case or similar serious litigation, accuracy of the official transcript depends entirely upon the competence of the interpreter. This is crucial where the witness is a deaf person, since the accurate account of the witness' evidence is dependent upon the accuracy of the interpreter's work. Accuracy is especially important in a deaf case, since legal procedures involving the deaf tend to be slow and costly.

Common legal terminology

It is vital that basic legal terminology be understood by the interpreter and deaf litigant. To accomplish this, the skilled interpreter and attorney must check frequently to see that the deaf litigant truly understands at least the important legal terms.

Criminal law terms

Great confusion arises when a deaf defendant does not understand basic legal terms. For example, a writ of habeas corpus, the extraordinary remedy to produce a party in court at any time from confinement, is a basic legal right which deaf defendants should be aware of. However, even interpreters with courtroom experience are not always familiar with such a term.

Civil law terms

Just as important is the need for the civil litigant to know civil legal terms, though his immediate liberty, that is, getting out of jail, is not

involved as in a criminal case.

It is urged that prior to trial, the attorney representing a deaf litigant or dealing with deaf witnesses should educate such persons as to the common legal terms which can be expected in that trial.

Trial preparation

The following are suggested for those involved in court procedure:

1. Prepare the deaf witness so that he is not confused by distances, references to the time of day, and other specifics.
2. Warn the deaf witness of the rigor of cross examination so he will not be frightened or confused by it.
3. Explain the anatomy of the entire trial procedure to the deaf litigant.

Summary

1. The use of the mock trial as a teaching device is regarded as superior to a lecture on courtroom procedure, since everyone becomes actively involved.

2. Obviously, the interpreter is a key participant and if properly qualified guarantees the accuracy of the record. If not, the deaf litigant or the deaf witness does not have his proper "day in court."

3. Legal terminology and procedure should be carefully explained to the deaf person before the trial. The attorney, interpreter and deaf litigant, or deaf witness, must prepare prior to the trial for the fullest possible understanding of legal terms and procedures.

4. I want to express my sincere thanks to all the officers of CSSD, especially to Marvin D. Garretson, to the skilled interpreters, to Judge Roldolf and the attorneys, the jury, and personnel of the Cook County Court House in Chicago for the success of this mock trial.

MOCK TRIAL TRANSCRIPT

Thomas Myers
If it please the Court, I would like to introduce the members of the National Federal Society of the Deaf which is the sponsoring organization for this event, Mr. Frank Sullivan.

Frank Sullivan
I will confine my remarks to introducing the man who will introduce the program, Ivan E. Lawrence is probably best remembered by us as the attorney who successfully defended the rights of the couple in California, the Christensens, when they wanted to adopt a hearing child. A further example of his talents - he has had 14 years of teaching experience including military, academic, religious and legal subjects. Mr. Lawrence has found time for many other activities. He is a member of the Church of Jesus Christ of Latter Day Saints, a member of the Optimist Club, on the Alumni Board of Directors of George Pepperdine College (Los Angeles, California). His membership in the NDSA has been actively participating in the legal rights section of this organization at San Fernando Valley State College where he is involved in the Leadership Training Program for the Deaf. For the last 4 years he specialized in a variety of legal problems involving deaf clients. He is learning the language of signs.

Attorney Ivan E. Lawrence
Thank you very much. Let me orient you a bit. I will bring the Judge on and I will act as the Court Clerk and Bailiff. In this mock trial we will depict the procedure. The attorneys, instead of examining many persons on the jury for qualifications, will examine only a few. As the appropriate places the prosecution will play a role, no interjections, do not be disturbed if suddenly someone doesn't like what you are doing and you are pulled off of the court room floor.

The First District Court for the County of Cook, is in session with Judge Dunbar presiding.

Judge Dunbar
The lawsuit which we have for trial today arises out of an automobile accident occurring on June 3, 1968 at the intersection of Fourth Ford Street and Third Main Street. The two drivers involved are one Mr. Perry and the other one, Miss Silent. Miss Silent was injured as a result of the collision and she brings this lawsuit to seek damages for her injuries and her automobile and also for her medical expenses. As she is the one that brings the suit, she is called a "plaintiff." Mr. Perry is the one against whom the suit is brought and he is the "defendant."
Now the Court will ask some questions of the jurors to determine whether or not they can be fair and just in deciding this case. If your answer to any question the Court asks is "yes," will you please raise your hand.

1) Do any of you know either Mr. Perry or Miss Silent?
(No response)
2) Do any of you have any business to the law offices of either of the lawyers in this case?
(No response)
3) Are you related by blood or marriage to any of the parties or their lawyers?
(No response)
4) Have any of you or members of your family ever been in an accident resulting in personal injuries?
(No response)
5) Have any of you been jurors before?
(No response)
6) Has any of you kind of hearing?
(No response)
Mr. Myers, you may ask any questions you wish of the panel.

Mr. Evans
Ladies and gentlemen, I am very happy to meet you. I am the attorney for the defendant who is sitting right there. This is Mrs. Mary Robinson and she will help me interpret this afternoon. At this time I will ask you some questions to find out if you will be suitable jurors for this case and the attorney for the plaintiff will also have the right to ask you questions. Some of the questions I will ask may be personal questions but it is my duty to get a jury that will be fair and properly and suitable for this case. I appreciate and so I hope you will not be angry with me if I ask personal questions.
1) Will you all be over sixty.
A. My name is David Robson.
2) How old are you?
A. 45.
3) Do you drive?
A. Yes.
4) How long have you been driving?
A. About 5 and 1/2 years old.
5) Are you married?
A. Yes.
6) Do you have children?
A. Yes.
7) What kind of work do you do?
A. I work in an office.
8) Have you been a witness?
A. Yes.
9) How long ago?
A. Five years ago.
Ten more questions for the gentleman.
1) Your name?
A. Bob Anderson.
2) Where do you live?
A. Macon.
3) What kind of work...

Mr. Henderson
Would someone interpret Mr. Hutto can't speak in spoken language. I did not hear what he said.

Mr. Evans continues questioning Mr. Anderson
1) What kind of work do you do?
A. I am a physician.
2) Will you work for the police department?
A. No.

Mr. Henderson
If the Court please I object to the question by Mr. Evans as that on an ordinary the qualifications of a juror. I believe the question is irrelevant.

Judge Eldridge
Objection is sustained.
Now when a lawyer makes an objection and if the Court agrees, then the Court says "sustained." If the Court does not agree with the objection, then the Court will say "overruled."

Mr. Evans
1) Mr. Anderson, we all know that some people have prejudices, some people on trained against certain groups of people. In this case I represent a man who has been sued by a woman. I represent a man who is old and the plaintiff is young and pretty. Do you feel that you can judge fairly between these two people? Should one be prejudiced?

Mr. Henderson
I object for the same reason as before and I hope that the Court will admonish Mr. Evans from arguing during cross-examination of the jury.

Judge Eldridge
Objection sustained.

Mr. Evans
I will go on to the next witness.
1) Where do you live?
2) Do you drive a car?
3) Have you had an automobile accident?
In this case the plaintiff has a physical handicap. Do a deaf do you feel that you could judge fairly between the plaintiff and defendant in this case?

Mr. Henderson
No objection for now except Your Honor. Again we are asking the public whose duty is now not state to Mr. Evan's client. My client has an opportunity to be judged by his own, whether this includes or excludes that person of which he is one. I don't feel this is proper questioning under the circumstances.

Judge Eldridge
Objection is sustained.

Mr. Evans
I accept Mr. Evans.

Judge Eldridge
I will go please pass.

Mr. Henderson
1) What is your name?
A. Bill Gibson.
2) Where do you live?
A. Staunton, Virginia.
3) Occupation?
A. I'm a teacher.

[illegible]

[illegible]

[illegible]

a. Are you leading with the answer, or are you burying it?
b. Most of the time.
c. In which sections and in what ways can you improve this time?
a. Many.
b. And how does an passages to your ear?
a. No, I am calm.
b. What are the ratio and width of the paragraphs you were speaking?
a. I was quite hallucinogen.

As we pass a sign stating a narrow group be cautious, as the practice of the track, by Thomas Wayne.

Judge Rudolf
So, will our answer anything like the one you are doing anything like we will be told a passage of work.

Q. Excellence continue questioning this time:
a. What is the good look as Fred and Mary there?
b. Between 30 and 31 miles per hour.
c. What speed were you travelling when you proceeded past as Mary?
a. I was going between 30-35.
b. How you believe the speed limit?
a. Yes.
b. Did you observe anything as you approached the intersection : you pulling over as Mary there before Fred there?
a. I did not as anything as there there. I was driving at a very slow speed.
b. When you did to observe each and each as you approached the intersection?
a. Yes, I looked both ways. I am anything I are as can notice.
b. So what point did you observe the car driven by John Wiley?

Judge Rudolf
I notice that you of the lawn a passing. Will you as that the jurors the matter? You may proceed.

Q. Excellence
a. How far were you from the intersection of Fred and Mary there when you first perceived the vehicle which later you learned was the automobile driven by Mr. Wiley?
a. I am not sure of the distance. It was about 10 - 100 feet.
b. At what point was Mr. Wiley from the southeastern point of the intersection when you first observed him?
a. He was about 10 feet.
b. Is you prompted the intersection proceeding and as they drove, when you first observed Mr. Wiley, what did you do?
a. When I saw Wiley both ways I did not an anything coming and I started to go across. I said to one and I applied the brake. Then to let as.
b. Where was your vehicle when?
a. In the center of Fred and Mary.
b. What part of your vehicle we struck by what part of Mr. Wiley's?
a. My left side.
b. What part of Mr. Wiley's automobile by which as left side of your body following?
a. The right.
b. As you remember anything unusual, and after the accident, like this?
a. No, I am't remember anything.

Judge Rudolf
Mr. Excellence, there is a question being raised as to whether the interpreter is really interpreting accurately. She has also the interpreter reading from an as to whether she interpreting accurately. If you believe the interpreter of using a certain word, that interpreter.)
b. Now, as you really talking as to your exact words that the witness stated?
a. Yes, I am.
b. But you to as any new interpreting what the was and changing it?

(I was from audience (Eric Excellence)
I object your Honor. She was asked to what point did he as was the intersection. The interpreter said it was was.

Mr. Excellence
If Your Honorable would like to suggest a addition and withdraw that he interpreter a question, I would that the I can't would be willing to listen.

Judge Rudolf
She you would the question to her in her own words she to as doubt there what the witness was asked.

Q. Excellence
a. Did you receive injuries as a result of the accident this time?
a. Yes, I did. My left shoulder was hurting, I had knee bruised she and hand swollen, about I still hurt.
b. How many from how long was you a treatment there to the date of this?
a. Five years.
b. How long were you able to observe

[illegible]

[illegible]

[illegible]

[illegible] Mr. and morning can to to [illegible].

Mr. Evans
I couldn't like to ask if the [illegible] has arrived [illegible]?

Mr. Stephenson
[illegible] has arrived, yes. Evans.

Mr. Evans
I will leave the window. The ventilation [illegible] and have also been [illegible] the car. Mrs. Mr. I will [illegible] [illegible] [illegible].

Judge Prakash
The decision that you make is [illegible]. It is [illegible].

The defendant is sworn in. Mr. please [illegible]. Take three, and the address.

Mr. Evans, questioning John Foley:
Q. What was the accident happen?
A. Two days.
Q. At the time of the accident, how fast were you driving?
A. Oh, about 60, the same as [illegible] [illegible] [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

COUNCIL OF ORGANIZATIONS SERVING THE DEAF

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

President
Edward E. Carney

President-Elect
Emil S. Ladner

Vice President
Gary A. Curtis

Secretary
Elizabeth E. Benson

Treasurer
Rev. H. W. Ruhe

Alexander Pitofsky Jr.
Jess W. Smith

Executive Director
Warren D. Cannaday

Assistant Director
Alfred Cranwill

[redacted]

Ray L. Jones, Ed.D.

Robert R. Lauritsen

Thomas A. Mayes, Ph.D.

Mrs. Mary Jane Rhodes

McCay Vernon, Ph.D.

[redacted]

[redacted]

Alexander Graham Bell Association for the Deaf

American Athletic Association of the Deaf

Board for Missions to the Deaf, The Lutheran Church–Missouri Synod

Canadian Association of the Deaf

Conference of Church Workers Among the Deaf

Conference of Executives of American Schools for the Deaf

Convention of American Instructors of the Deaf

Gallaudet College Alumni Association

International Catholic Deaf Association

National Association of the Deaf

National Association of Speech and Hearing Agencies

National Congress of Jewish Deaf

National Fraternal Society of the Deaf

Professional Rehabilitation Workers with the Adult Deaf

Registry of Interpreters for the Deaf

[redacted]

The Deafness Research Foundation
Board of Missions, United Methodist Church
Ephphatha Missions for the Deaf and Blind

[redacted]

[redacted]

[redacted]

[redacted]

APPENDIX C

FORUM PARTICIPANTS

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[illegible]
[illegible] N. Avers
Chicago, Illinois 60647

[illegible], Kenneth F. (Supt.)
Wisconsin School for the Deaf
309 W. Walworth
Delavan, Wisconsin 53115

[illegible], Mrs. Kenneth F.
Wisconsin School for the Deaf
309 W. Walworth
Delavan, Wisconsin 53115

[illegible], Francis L.
[illegible] Augusta Road
Greenville, Illinois 62246

[illegible]
P.O. Drawer 17
Talladega, Alabama 35160

[illegible], Lawrence E.
Illinois School for the Deaf
Jacksonville, Illinois 62650

[illegible], Channing
1834 So. Knight Road
Plainwell, Michigan 49080

[illegible], Rev. Charles
1701 So. 6th Avenue
Maywood, Illinois 60153

[illegible], Dr. Guy L. (Project Director)
Dept. of School Adm. & Supervision
San Fernando Valley State College
Northridge, California 91324

[illegible], Mrs. Lee
[illegible]
5101 Connecticut Avenue, N.W.
Washington, D.C. 20008

[illegible], Minnie M.
1960 Lincoln Park West
Chicago, Illinois 60614

[illegible], Joseph G.
4218 Second Street
Waukegan, Illinois 60085

[illegible], Philip A.
6401 N. Western Avenue
Chicago, Illinois 60645

[illegible], Lucille
1971 Scott Lake, Apt. 40
Pontiac, Michigan 48054

[illegible], Ruth F.
9401 Locust Road
Greenbriar Hills
Wilmington, Delaware 19803

[illegible], George
[illegible] N. Kimball
Chicago, Illinois 60647

[illegible], Carl O.
1930 Solano Street
Berkeley, California 94707

[illegible], Robert W.
P.O. Box 6168
Richmond, Virginia 23224

[illegible], Dr. Helen S.
910 So. Euclid Street
St. Louis, Missouri 63110

[illegible], William R.
1 South Franklin
Jewish Vocational Service
Chicago, Illinois 60606

[illegible], Mrs. Betty Jean
1772 Redwood Avenue
Akron, Ohio 44301

[illegible], Robert O.
1772 Redwood Avenue
Akron, Ohio 44301

[illegible], Chester
672 Providence Highway
Dedham, Massachusetts 02026

[illegible], Rev. Marshall R.
P.O. Box 91011
Lafayette, Louisiana 70501

[illegible], Robert B.
St. Paul Technical Vocational Institute
St. Paul, Minnesota 55102

[illegible], Inga E.
14736 Ventura Blvd.
Sherman Oaks, California 91403

[illegible], Rev. Paul
3737 Rue St. Denis Street
Montreal 18, Que., Canada

[illegible], John F. (Student)
Gallaudet College
Washington, D.C. 20002

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]